

FINAL
ENVIRONMENTAL IMPACT REPORT
Response to Comments

**MARINA HEIGHTS SPECIFIC PLAN/
ABRAMS “B” HOUSING PROJECT**
City of Marina

SCH No. 2003021012

Prepared for
City of Marina
Planning Department

by

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PREFACE

A. PURPOSE OF THE FINAL ENVIRONMENTAL IMPACT REPORT

This Final Environmental Impact Report (EIR) provides responses to comments submitted by government agencies, organizations and individuals on the Draft EIR on the Marina Heights Specific Plan/Abrams "B" Housing Project in the City of Marina, California.

In accordance with the requirements of the California Environmental Quality Act (CEQA), this Final EIR formally consists of the responses to comments and a revision of those portions of the Draft EIR which have been modified in response to comments received during the public review period on the Draft EIR. This Final EIR includes copies of all written comments received within the 45-day public review period following publication of the Draft EIR, and verbal comments received at a public hearing held during the review period, and provides responses to those comments. In some cases, the responses have also resulted in revisions to the Draft EIR, and all such changes are reflected in this document. As required by CEQA, this document addresses those comments received during the public review period that relate directly to the adequacy and completeness of the Draft EIR. The Final EIR does not address those comments received that relate to characteristics or features of the proposed Project where the Draft EIR's analysis of Project-related environmental issues are not directly involved.

The EIR (which is comprised of the Draft EIR and the Final EIR) is intended to be certified as a complete and thorough record of the environmental impacts of the proposed Project by the City of Marina. Certification of the EIR as adequate and complete must take place prior to any formal City action on the proposed Project itself, and EIR certification does not equate to approval of the Project.

The EIR has been prepared pursuant to the California Environmental Quality Act (CEQA) as amended (commencing with Section 21000 of the California Public Resources Code), and the CEQA Guidelines. The Lead Agency for the Project, as defined by CEQA, is the City of Marina.

The EIR is meant to provide an objective, impartial source of information to be used by the lead and responsible agencies, as well as the public, in their considerations regarding the Project. The basic purposes of CEQA are to:

- inform governmental decision-makers and the public about the environmental effects of proposed activities;
- involve the public in the decision-making process;
- identify ways that damage to the environment can be avoided or significantly reduced; and
- prevent environmental damage by requiring changes in the project through the use of alternatives or mitigation measures.¹

The analysis in the EIR concentrates on those aspects of the Project that are likely to have a significant adverse effect on the environment, and the EIR identifies reasonable and feasible measures to mitigate (i.e., reduce or avoid) these effects. The CEQA Guidelines define "significant effect on the environment" as "a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project"² The determination of significance of potential environmental effects is based, in part, on the discussion of environmental effects which are normally considered to be significant found in Appendix G of the CEQA Guidelines.

This EIR does not address those environmental factors and effects that have already been determined to be "less than significant" (see **Appendix A** of the Draft EIR), except as necessary to establish a background for the Project. The financial or economic issues associated with the proposed Project are not evaluated in the EIR, as these are not considered "environmental" effects. Such an analysis is beyond the scope of this environmental review document.

1 State of California, Governor's Office of Planning and Research, *California Environmental Quality Act Statutes and Guidelines*, 1995, Section 15002(a).

2 Ibid, Section 15382.

B. ORGANIZATION OF THE FINAL EIR

The Final EIR consists of the following major sections:

- **Preface** - outlines the objectives of the EIR and important preliminary information.
- **Revisions to the Draft EIR** – contains revisions to the Draft EIR text.
- **Comments and Responses** – contains letters of comment on the Draft EIR and verbal comments recorded at the Planning Commission's public hearing on the Draft EIR (August 4, 2003), along with responses to these comments. In response to some comments, the text of the Draft EIR has been modified, with changes indicated as described in the previous paragraph.

This EIR has been prepared for the City of Marina (the Lead Agency) by Lamphier-Gregory, Urban Planning and Environmental Analysis. Each participant in the preparation of the EIR has extensive experience and knowledge in their respective fields. The information in the EIR has been compiled from a variety of sources, including published studies, applicable maps and independent field investigations. Unless otherwise noted, all background documents are available for inspection at the City of Marina Planning Department.

C. SCOPE OF THE EIR

An initial evaluation of the proposed Project by City staff indicated that the development of the Specific Plan area as proposed might have several potentially significant environmental impacts (see **Appendix A** of the Draft EIR). The potentially significant project-related impacts identified relate to those areas that are listed below:

- Aesthetics/Visual Quality
- Air Quality
- Biological Resources
- Land Use and Planning
- Traffic and Circulation

- Noise
- Hazards and Hazardous Materials
- Recreation
- Public Services/Utilities

During the initial review of the proposed Project, the Lead Agency determined that the preparation of an EIR would be appropriate.

Areas of controversy which have been identified during the environmental review of the Specific Plan include possible conflicts with the adopted goals and policies of the Marina General Plan, including:

- The provision of affordable housing within the Specific Plan area;
- The adequacy and availability of water to support the level of development proposed;
- The proposed residential density within the Marina Heights Specific Plan area;
- The extent to which development as proposed would actually support transit use; and
- The lack of neighborhood-serving commercial uses within the Specific Plan area.

D. PUBLIC REVIEW PROCESS

The Notice of Preparation of the Draft EIR was released on January 30, 2003 (a revised Notice of Preparation was released on February 20, 2003). It is included in **Appendix A** of the Draft EIR, along with responses to the Notice of Preparation and comments received at the EIR scoping session of January 23, 2003.

The Draft EIR was circulated for a 45-day period. During this time, the public and responsible agencies and organizations submitted comments on the sufficiency or adequacy of the EIR in evaluating the environmental effects of the Marina Heights Specific Plan/Abrams "B" Housing Project. A public comment session was scheduled during the 45-day review period at the August 4, 2003 meeting of the Planning Commission.

Responses to written comments received on the Draft EIR have been prepared, and are presented in this document. The Draft EIR, with the responses to comments received on the Draft EIR during the public review period, comprise the Final EIR. The Final EIR will be presented to the Planning Commission and the City Council of the City of Marina for review and certification, in accordance with Section 15080 of the CEQA Guidelines. Certification of the EIR does not constitute approval of the proposed Project, however. This action only indicates that the record of potential environmental impacts and the available means of reducing or avoiding these impacts provided in the EIR is adequate and complete.

Upon certification of the EIR, the City Council will make a separate decision on the approval, denial or modification of the Marina Heights Specific Plan/Abrams "B" Housing Project. Certification of the EIR as adequate and complete does not imply that the proposed Project has to be approved. In accordance with the requirements of CEQA, where there remain significant environmental effects that cannot be reduced to a level of "less than significant", the Project may be approved only where a statement of overriding considerations of social, economic or other benefit can be made and supported with substantial evidence³.

3 Ibid, Section 15384. Under this Section of the CEQA Guidelines, "substantial evidence" includes facts, reasonable assumptions predicated upon facts and expert opinion supported by facts which would provide enough information and reasonable inferences from this information to enable a fair argument to be made to support a conclusion, even though other conclusions might also be reached.

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REVISIONS TO THE DRAFT EIR

In response to comments received on the Draft EIR during the 45-day public review period, the following revisions in the text of the Draft EIR have been made:

On DEIR pages ES-18 and ES-19, the text of **Mitigation Measure 6.5** has been modified to read as follows:

Mitigation 6.5: Pre-Construction Surveys/Avoidance of Maternity Roosts. Prior to building demolition, a qualified biologist ~~should~~ shall survey the buildings for presence of bats. If special-status species are present, the following measures should be implemented:

- Demolition ~~shall~~ not occur when maternity roosts are present.
- No construction within 300 feet will be permitted until any young bats are fledged.
- The contractor ~~should~~ shall obtain a Memorandum of Understanding (MOU) with the California Department of Fish and Game (CDFG) in order to remove listed bat species. Alternate habitat may need to be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics ~~should~~ shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist ~~should~~ shall prepare and implement a relocation plan subject to approval by CDFG that includes relocating all bats found on-site to an alternate suitable habitat.

On DEIR page 2-33, the last paragraph continuing on to page 2-34 has been modified to read as follows:

| | |
|---|---|
| <p>Section 3.45: <i>In no event shall the City permit new development requiring water allocations in excess of available supply or in excess of its designated water allocation for that portion of former Fort Ord within the city.</i></p> | <p>The total water allocation within the portion of the former Fort Ord under City of Marina jurisdiction is 1,175 acre-feet per year (AFY). Development of the Specific Plan area as proposed is estimated to require approximately 292 AFY. The Marina General Plan anticipates that development in the Specific Plan area would generate a water demand of 231 183 AFY. An additional 48.5 AFY supports existing residential uses in the Abrams "B" area. If the anticipated distribution of the total water allocation within the portion of the former Fort Ord under City of Marina jurisdiction were to remain unchanged, there would be insufficient water supply to support the level of development proposed in the Specific Plan area, and such development would be in conflict with this policy. If the City of Marina elects to shift the anticipated distribution of the water allocation to provide adequate water supply to support the proposed development of the Marina Heights portion of the Specific Plan area, then the City would be able to comply with this policy in the near-term. However, such a shift in the distribution of the water allocation could subsequently limit future development in other portions of the former Fort Ord that has been anticipated under the General Plan based on previously determined water distribution patterns.</p> |
|---|---|

On DEIR page 3-7, the text of the fourth paragraph has been modified to read as follows:

In this study, ~~this assessment was made on the basis of the only signal warrant evaluated was the~~ Peak-Hour Volume Signal Warrant ~~only (Warrant #11, described in the Caltrans Traffic Manual).~~ This method provided an indication of whether peak-hour traffic volumes are, or would be, sufficient to justify the further investigation into the installation of a traffic signal.

On DEIR page 4-2, the fifth sentence of the first complete paragraph has been modified to read as follows:

Volatile organic compounds (VOC), ~~such as the criteria pollutants nitrogen dioxide (NO₂) and sulfur dioxide (SO₂), and~~ oxides of nitrogen (NO_x) are classified as ozone precursors, which can contribute to the formation of smog.

On DEIR page 4-19, the last sentence of the last paragraph has been modified to read as follows:

The values obtained through using the screening model in this way would not be expected to exceed anticipated values for the year 2020, since trends for the MBUAPCD screening model indicate a reduction in projected background carbon monoxide levels in the North Central Coast Air Basin with the passage of time between 2000 and 2010, a trend expected to continue beyond 2010.

On DEIR page 6-11, the text of the second paragraph has been modified to read as follows:

California horned lizards inhabit open country, especially sandy areas, washes, flood plains, and wind-blown deposits in a wide variety of habitats, including shrublands, woodlands, riparian habitats and annual grassland. Warm, sunny, open areas are a main habitat requirement, along with patches of loose soil where the lizard can bury itself. This species is a federal species of concern and a California Species of Special Concern. The California horned lizard is known to occur in many habitat types on former Fort Ord, and ~~there is suitable habitat for this species within the Specific Plan area~~ except where there are buildings, most of the Specific Plan area may provide suitable habitat for this species.

On DEIR page 6-11, the text of the third paragraph has been modified to read as follows:

The black legless lizard is a federal species of concern and a state Species of Special Concern. Legless lizards are fossorial animals that burrow in sand and leaf litter beneath plants and feed on insects and other invertebrates. The black legless lizard is found in loose, friable sandy soils in a variety of habitat types. Potential habitat for this species is present in ~~the mixed maritime chaparral habitat in~~ all habitat types within in the Specific Plan area, including development/disturbed.

On DEIR page 6-19, the text of **Mitigation Measure 6.5** has been modified to read as follows:

Mitigation 6.5: Pre-Construction Surveys/Avoidance of Maternity Roosts. Prior to building demolition, a qualified biologist ~~should~~ shall survey the buildings for presence of bats. If special-status species are present, the following measures should be implemented:

- Demolition shall not occur when maternity roosts are present.
- No construction within 300 feet will be permitted until any young bats are fledged.
- The contractor ~~should~~ shall obtain a Memorandum of Understanding (MOU) with the California Department of Fish and Game (CDFG) in order to remove listed bat species. Alternate habitat may need to be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics ~~should~~ shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist ~~should~~ shall prepare and implement a relocation plan subject to approval by CDFG that

includes relocating all bats found on-site to an alternate suitable habitat.

On DEIR page 10-3, the last sentence of the first paragraph has been modified to read as follows:

The water district currently owns, operates and maintains both the water and sewer systems on former Fort Ord, ~~as part of a caretaker agreement with the U.S. Army, and will ultimately obtain ownership of them through a conveyance.~~

On DEIR page 10-3, the second paragraph has been modified to read as follows:

~~Three wells located in the deep aquifer of the Salinas Valley Water Basin and one in the 400 foot aquifer presently provide almost all of MCWD's potable water. This supply is augmented by an additional 300 acre feet of potable water per year from the District's new desalinization plant.~~ The former Fort Ord water system, known as the Ord Community Water System, area is served by three active wells, two of which are located on land conveyed to the University of California, on the east side of Blanco Road. The former military base's potable water supply also includes 13 storage tank reservoirs having a combined capacity of 10.3 million gallons and six pump stations.

On DEIR page 10-3, the third sentence in the third paragraph has been modified to read as follows:

~~Marina presently has a total~~ The water allocation for the Armstrong Ranch, RMC Lonestar, and the City of Marina, outside the former Fort Ord, is of 4,400 acre-feet per year (AFY).

On DEIR page 10-3, the fourth paragraph has been modified to read as follows:

In addition to potable groundwater, the MCWD is planning to augment the water supply with a new supply. The Regional Urban Water Augmentation Project will identify the new source of 2,400 AFY to supplement the 6,600 AFY of groundwater currently allocated to the former Fort Ord. The Fort Ord Reuse Plan anticipates the additional 2,400 AFY to satisfy planned redevelopment requirements. The Regional Water Augmentation Project environmental document will analyze two water supply projects: recycled water ~~Marina's available water supply is augmented by both potable water supplied by MCWD's new desalinization plant and recycled (non-potable) water. Approximately 600 AFY are presently supplied through both recycling and desalinization.~~

On DEIR page 10-3, the fifth paragraph that continues onto page 10-4 has been modified to read as follows:

The use of recycled (non-potable) water represents an effective strategy for augmenting the City's available potable water supply. In 1994, MCWD began supplying approximately 300 AFY of recycled water from its wastewater treatment plant for irrigation purposes. ~~Since then~~ In 1989, the District has entered into an agreement with the Monterey Regional Water Pollution Control Agency (MRWPCA) which entitles MCWD to take a quantity of recycled water equal to the amount of wastewater the District sends to the wastewater treatment facility (theoretically, up to about 2,240 AFY, given current capacity, for the City of Marina and additional capacity with the former Fort Ord). ~~MCWD has agreed to take no more than~~ Under the 1996 Annexation Agreement and Groundwater Mitigation Framework for Marina Area Lands with the MCWRA, the District agreed to take all but 300 AFY of its recycled water entitlement during the winter months (November – February). During the months of March through October, the District may take the 300 AFY of recycled water to which it is entitled, during the winter. Ultimately, the District plans to irrigate ~~a~~ All City parks, ballfields and other public landscaped areas with recycled water supplied from the MRWPCA's tertiary treatment facility, thus saving potable water which would otherwise be used for irrigation or other purposes could be irrigated with recycled water as supplied from the MRWPCA's tertiary treatment facility.

On DEIR page 10-10, the paragraph under WATER SERVICE has been modified to read as follows:

The former Fort Ord area within the City of Marina's jurisdiction is allocated 1,175 AFY of water. The Marina General Plan anticipated that ~~234~~ 183 AFY of that allocation would be sufficient to support the level of development anticipated in the portion of the former Fort Ord now identified as the Marina Heights Specific Plan area. Based on estimates related to the number of interior plumbing fixtures anticipated in each of the different types of housing units proposed within the Specific Plan area and the water fee computation formula provided by the Monterey Peninsula Water Management District, City of Marina staff have estimated a total water demand of 292.39 AFY (see Table 10-2). This would be approximately ~~26~~ 60 percent more than the amount of water that was anticipated as needed to serve anticipated development within the Specific Plan area under the General Plan.

On DEIR page 10-11, the paragraph continuing on to page 10-12 has been modified to read as follows:

Implementation of the Specific Plan as proposed would create a water supply demand within the Marina Heights Specific Plan area in excess of that anticipated under the Marina General Plan. In the General Plan, the level of development anticipated in the former portion of the former Fort Ord that is under the City of Marina's jurisdiction is predicated on the amount of water available under the established water allocation for the area (1,175 AFY), with the General Plan identifying the anticipated water supply available to support the level of development anticipated in each different portion of the former Fort Ord area within that allocation. If adequate water to meet the demands of the Marina Heights development is provided from the existing water allocation (which would be approximately ~~64~~ 109 AFY in excess of what was anticipated as necessary to support the level of development in the Specific Plan area under the Marina General Plan), then this could preclude future development in other portions of the former Fort Ord that has also been anticipated under the Marina General Plan, since a reduced supply of water would be left to support such development under the existing allocation that would otherwise receive a larger portion of the existing water allocation. Since an adequate supply of water would be available to support the implementation of the Specific Plan within the existing water supply allocation, the increased demand for water resulting from the development of the Specific Plan area as proposed would not represent a significant environmental impact. However, as indicated in the discussion of Specific Plan consistency with the Marina General Plan in Chapter 2, above, the reallocation of anticipated water supply within the former Fort Ord area to provide adequate water to support the proposed development of the Specific Plan area could require modifications to the General Plan if it were to result in reductions in the anticipated level of future development elsewhere within that area.

On DEIR page 10-12, the last paragraph has been modified to read as follows:

Sewer infrastructure would be planned, designed and developed in cooperation with the MCWD, and existing infrastructure would be utilized whenever feasible. Development within the Specific Plan area would take advantage of any opportunities to upgrade or remove antiquated or malfunctioning infrastructure, in cooperation with MCWD. As with water infrastructure, the Project Applicant proposes to place sewer infrastructure in public rights-of-way, and all easements would be conveyed to MCWD.

On DEIR page 10-13, the second sentence in the first paragraph has been modified to read as follows:

A Construction and Transfer of Water, Recycled Water, and Sewer Infrastructure Agreement would be executed as necessary with MCWD ~~and the City of Marina Public Works Department.~~

On DEIR page 11-6, the text of the third paragraph on DEIR page 11-6 has been modified to read as follows:

- Implementation of the Specific Plan would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (because no native wildlife nursery sites have been identified within the Specific Plan area and because the corridor identified within the Specific Plan area in the General Plan Land Use Map ~~provides a means to enhance the distribution of seeds to enhance the genetic diversity of special status plant species, and~~ does not function as a wildlife corridor serving migratory species or special status native wildlife species).

REVISED Table 3-3: Intersection LOS Summary

| | N-S Street | E-W Street | Existing Lane Configuration | Existing Intersection Control | LOS Standard | Existing Conditions (2003) | | Baseline Conditions (2003) | | Baseline + Project Conditions | | Cumulative Without Project Conditions | | Cumulative With Project Conditions | |
|---|---------------------|------------------|--|---|--------------|----------------------------|---------------------------|----------------------------|----------------------------|-------------------------------|----------------------------|---------------------------------------|------------------------------|------------------------------------|------------------------------|
| | | | | | | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr |
| | | | | | | Delay (sec) | LOS | Delay (sec) | LOS | Delay (sec) | LOS | Delay (sec) | LOS | Delay (sec) | LOS |
| 1 | Highway 1 SB Ramps | Reservation Road | SB 1-L/T, 1-R EB 1-T/R WB 1-L, 1-T | Two-Way Stop Worst Approach With Signal | Ca: C/D | 83.8 F 20.0 C 12.5 B | 9.8 A 20.0 C 10.2 B | 83.8 F 20.0 C 12.5 B | 9.8 A 20.0 C 10.2 B | 11.3 B 22.3 C 10.0 B | 8.3 F 22.3 C 12.5 B | 26.5 D 49.9 E 13.4 B | 26.5 D 49.9 E 13.4 B | 34.8 D 64.2 F 15.0 B | 34.8 D 64.2 F 15.0 B |
| 2 | Highway 1 NB Ramps | Reservation Road | NB 1-L/T, 1-R EB 1-L, 1-T WB 1-T, 1-R | Two-Way Stop Worst Approach With Signal | Ca: C/D | 1.2 A 10.8 B 19.3 B | 5.0 A 13.9 B 23.7 C | 1.2 A 10.8 B 16.7 B | 5.0 A 13.9 B 19.7 B | 5.0 A 14.6 B 20.4 C | 1.2 A 10.8 B 16.8 B | 6.2 A 24.3 C 93.8 F | 6.2 A 24.3 C 93.8 F | 1.5 A 21.1 C 43.9 D | 1.5 A 21.1 C 43.9 D |
| 3 | Del Monte Boulevard | Reservation Road | NB 1-L, 1-T, 2-R SB 2-L, 1-T, 1-T/R EB 1-L/T, 1-T/R WB 2-L, 1-T, 1-R | Signal With Mitigation | M: D | 1.5 A 27.7 D 19.3 B | 0.7 A 31.5 D 23.7 C | 1.8 A 14.9 B 16.7 B | 0.8 A 12.7 B 19.7 B | 0.7 A 15.0 C 20.4 C | 2.1 A 20.0 C 16.8 B | 0.7 A 15.0 C 20.4 C | 0.7 A 15.0 C 20.4 C | 0.7 A 15.0 C 20.4 C | 0.7 A 15.0 C 20.4 C |
| 4 | California Avenue | Reservation Road | NB 1-L, 1-R EB 1-T, 1-T/R WB 2-T, 1-L | Two-Way Stop Worst Approach With Signal | M: D | 1.5 A 27.7 D 19.3 B | 0.7 A 31.5 D 23.7 C | 1.8 A 14.9 B 16.7 B | 0.8 A 12.7 B 19.7 B | 0.7 A 15.0 C 20.4 C | 2.1 A 20.0 C 16.8 B | 0.7 A 15.0 C 20.4 C | 0.7 A 15.0 C 20.4 C | 0.7 A 15.0 C 20.4 C | 0.7 A 15.0 C 20.4 C |
| 5 | Selinas Avenue | Reservation Road | NB 1-L/R EB 1-T, 1-T/R WB 2-T, 1-L | Two-Way Stop Worst Approach With Mitigation | M: D | 0.3 A 13.5 B 27.3 C | 0.5 A 20.3 C 26.8 C | 0.5 A 11.3 B 29.3 C | 0.5 A 11.0 B 31.0 C | 0.9 A 15.5 C 30.1 C | 1.2 A 17.8 C 30.8 C | 0.9 A 15.5 C 30.1 C | 0.9 A 15.5 C 30.1 C | 0.9 A 15.5 C 30.1 C | 0.9 A 15.5 C 30.1 C |
| 6 | Injin Road | Reservation Road | NB 2-L, 1-T/R, 1-R SB 1-L, 1-T, 1-R EB 2-L, 2-T, 1-R WB 2-L, 2-T, 1-R | Signal With Mitigation (w/o Blanco Rd Ext) With Mitigation (w/ Blanco Rd Ext) | M: D | 27.3 C 10.4 B 5.0 A | 26.8 C 11.6 B 3.1 A | 29.3 C 10.4 B 25.7 D | 31.0 C 11.6 B 19.5 C | 30.1 C 12.1 B 219.9 F | 30.8 C 11.7 B 41.7 E | 148.1 F 58.7 E 142.3 F | 148.1 F 58.7 E 142.3 F | 170.7 F 65.3 E 131.5 F | 170.7 F 65.3 E 131.5 F |
| 7 | Blanco Road | Reservation Road | SB 2-L, 2-R EB 2-L, 2-T WB 1-L, 1-T | Signal With Mitigation (w/o Blanco Rd Ext) With Mitigation (w/ Blanco Rd Ext) | Co: C | 10.4 B 58.3 F 10.9 B | 11.6 B 64.0 F 7.9 A | 10.4 B 58.3 F 24.7 C | 11.6 B 64.0 F 17.2 B | 12.1 B 31.4 C 31.2 C | 11.7 B 31.2 C 31.2 C | 58.7 E 15.9 B 28.9 C | 58.7 E 15.9 B 28.9 C | 65.3 E 30.1 C 31.2 C | 65.3 E 30.1 C 31.2 C |
| 8 | Injin Road | Preston Drive | NB 1-L, 1-T SB 1-T, 1-R EB 1-L/R | Two-Way Stop Worst Approach With Mitigation | M: D | 5.0 A 58.3 F 10.9 B | 3.1 A 64.0 F 7.9 A | 25.7 D 58.3 F 24.7 C | 19.5 C 64.0 F 17.2 B | 219.9 F 31.4 C 31.2 C | 41.7 E 31.2 C 31.2 C | 142.3 F 58.7 E 142.3 F | 142.3 F 58.7 E 142.3 F | 131.5 F 65.3 E 131.5 F | 131.5 F 65.3 E 131.5 F |

Note: 1. L, T, R = Left, Through, Right.
2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
3. Level of Service analysis based on Highway Capacity Manual 2000.
4. * = Delay is over 300 seconds (5 minutes)
5. M: Marina; Ca: Caltrans; Co: Monterey County

REVISED Table 3-3: Intersection LOS Summary (continued)

| | | | | Existing Conditions (2003) | | Baseline Conditions (2003) | | Baseline + Project Conditions | | Cumulative Without Project Conditions | | Cumulative With Project Conditions | |
|----|-------------------------|--|--|----------------------------|---------------------------|----------------------------|-------------------------------|-------------------------------|---------------------------|---------------------------------------|----------------------------|------------------------------------|----------------------------|
| | | | | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr | AM Peak Hr | PM Peak Hr |
| | | LOS Standard | | Delay (sec) | LOS (sec) | Delay (sec) | LOS (sec) | Delay (sec) | LOS (sec) | Delay (sec) | LOS (sec) | Delay (sec) | LOS (sec) |
| 9 | N-S Street E-W Street | Injin Road Abrams Drive | Existing Intersection Control | 6.7 A | 7.9 A | 17.0 B | 29.3 C | 19.5 B | 43.4 D | 129.9 F | 186.4 F | 185.8 F | 227.7 F |
| | | NB 1-L, 1-T, 1-R SB 1-L, 1-T, 1-R EB 1-L/T, 1-R WB 1-L/T, 1-R | Signal With Mitigation | | | | | | | | | | |
| 10 | Highway 1 NB Ramp | 12th Street | Two-Way Stop Worst Approach With Mitigation Overall Intersection Worst Approach | 2.1 A 9.6 A Northbound | 2.0 A 9.1 A Northbound | 3.7 A 14.7 B Northbound | 125.1 F 218.6 F Northbound | 4.1 A 17.3 C Northbound | 201.0 F | | | | |
| | | NB 1-L/T, 1-R EB 1-L/T, 1-T WB 1-T, 1-R | | | | | | | | | | | |
| 11 | Highway 1 SB Ramp | 12th Street | Two-Way Stop Worst Approach With Signal | 9.9 A 10.8 B Southbound | 8.8 A 9.3 A Southbound | * F Southbound | 35.1 E 122.3 F Southbound | * F Southbound | 153.3 F | * F Southbound | * F Southbound | * F Southbound | * F Southbound |
| | | SB 1-L, 1-L/T WB 1-L | | | | | | | | | | | |
| 12 | Del Monte Boulevard | Reindollar Avenue | NB 1-L, 2-T, 1-R SB 1-L, 2-T WB 1-L, 1-L/R | 17.8 B | 17.4 B | 13.5 B | 11.7 B | 13.5 B | 11.7 B | 15.0 B | 27.5 C | 15.0 B | 27.5 C |
| | | | | | | | | | | | | | |
| 13 | California Avenue | Carmel Avenue | All-Way Stop | 9.1 A | 7.5 A | 9.1 A | 7.5 A | 9.4 A | 7.7 A | 14.5 B | 25.2 D | 15.6 C | 32.8 D |
| | | | | | | | | | | | | | |
| 14 | Selinas Avenue | Carmel Avenue | Future Lane Configuration Two-Way Stop Worst Approach | M: D | | | | 4.6 A 8.8 A Southbound | 6.2 A 9.5 A Southbound | 6.5 A 8.7 A Southbound | 6.9 A 10.4 B Southbound | 5.3 A 9.1 A Southbound | 6.9 A 11.7 B Southbound |

Note:

1. L, T, R = Left, Through, Right.
2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
3. Level of Service analysis based on Highway Capacity Manual 2000.
4. * = Delay is over 300 seconds (5 minutes)
5. M: Marina; Ca: Caltrans; Co: Monterey County

REVISED Table 3-3: Intersection LOS Summary (continued)

| | N-S Street | E-W Street | Future Lane Configuration | Future Intersection Control | LOS Standard | Existing Conditions (2003) | | | Baseline Conditions (2003) | | | Baseline + Project Conditions | | | Cumulative Without Project Conditions | | | Cumulative With Project Conditions | | |
|----|------------------------|---|--|---|--------------|----------------------------|-------------|-----|----------------------------|-------------------|-------------------|-------------------------------|-------------------|-------------------|---------------------------------------|-------------------|-------------------|------------------------------------|-------------------|-------------------|
| | | | | | | AM Peak Hr | Delay (sec) | LOS | AM Peak Hr | Delay (sec) | LOS | AM Peak Hr | Delay (sec) | LOS | AM Peak Hr | Delay (sec) | LOS | AM Peak Hr | Delay (sec) | LOS |
| 15 | Injin Road (south leg) | Injin (east leg) 12th Street (west leg) | NB 2-L, 1-R EB 1-T, 1-T/R WB 1-L, 2-T | Two-Way Stop Worst Approach With Mitigation | M: D | | | | 11.5 B | 10.1 B | 16.5 C | 18.8 C | * | F | 213.6 F | * | F | 256.8 F | * | F |
| | | | | | | | | | 86.3 F | 40.0 E | 139.3 F | 69.9 F | * | F | * | F | * | F | * | F |
| | | | | | | | | | Northbound 9.4 A | Northbound 38.9 D | Northbound 10.3 B | Northbound 44.4 D | Northbound 19.4 B | Northbound 45.0 D | Northbound 23.2 C | Northbound 54.3 D | Northbound 54.3 D | Northbound 54.3 D | Northbound 54.3 D | Northbound 54.3 D |
| 16 | Abrams Drive | 12th Street | SB 1-L/R EB 1-L, 2-T WB 1-T, 1-T/R | Two-Way Stop Worst Approach With Signal | M: D | | | | 1.7 A | 1.3 A | 3.5 A | 3.2 A | 1.3 A | 1.8 A | 1.8 A | 5.0 A | 48.7 E | 5.0 A | 48.7 E | 5.0 A |
| | | | | | | | | | 13.8 B | 11.9 B | 18.7 C | 24.0 C | 20.5 C | 37.1 E | 37.1 E | 53.7 F | 53.7 F | 53.7 F | 53.7 F | 53.7 F |
| | | | | | | | | | Southbound | Southbound | Southbound 7.7 A | Southbound 8.7 A | Southbound 9.0 A | Southbound 8.6 A | Southbound 12.4 B | Southbound 12.4 B | Southbound 12.4 B | Southbound 12.4 B | Southbound 12.4 B | Southbound 12.4 B |
| 17 | California Avenue | 12th Street | NB 1-L/T/R SB 1-L/T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | Two-Way Stop Worst Approach With Mitigation | M: D | | | | 1.4 A | 1.4 A | 4.7 A | 2.9 A | * | F | * | F | * | F | * | F |
| | | | | | | | | | 16.2 C | 15.1 C | 64.6 F | 23.1 C | * | F | * | F | * | F | * | F |
| | | | | | | | | | Southbound | Southbound | Southbound 11.3 B | Southbound 9.3 A | Southbound 17.5 B | Southbound 24.5 C | Southbound 21.3 C | Southbound 32.2 C | Southbound 32.2 C | Southbound 32.2 C | Southbound 32.2 C | Southbound 32.2 C |
| 18 | 4th Avenue | 12th Street | NB 1-L/T/R SB 1-L/T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | Two-Way Stop Worst Approach With Mitigation | M: D | | | | 0.1 A | 0.2 A | 0.1 A | 0.3 A | 4.0 A | * | F | 9.8 A | 9.8 A | 9.8 A | 9.8 A | 9.8 A |
| | | | | | | | | | 31.8 D | 34.1 D | 49.1 E | 57.5 F | 212.9 F | 20.1 C | 20.1 C | 13.8 B | 13.8 B | 13.8 B | 13.8 B | 13.8 B |
| | | | | | | | | | Southbound | Southbound | Southbound | Southbound | Southbound 12.4 B | Southbound 20.1 C | Southbound 13.8 B | Southbound 25.6 C | Southbound 25.6 C | Southbound 25.6 C | Southbound 25.6 C | Southbound 25.6 C |
| 19 | 3rd Avenue | 12th Street | NB 1-L, 1-T/R SB 1-L, 1-T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | Two-Way Stop Worst Approach With Signal | M: D | | | | 1.7 A | 0.3 A | 2.2 A | 0.4 A | 7.3 A | 17.4 C | 17.4 C | 17.6 C | 183.5 F | 17.6 C | 183.5 F | 17.6 C |
| | | | | | | | | | 41.4 E | 34.2 D | 74.7 F | 60.8 F | 96.5 F | 9.0 A | 9.0 A | 291.7 F | 291.7 F | 291.7 F | 291.7 F | 291.7 F |
| | | | | | | | | | Northbound | Southbound | Northbound | Southbound | Northbound 9.0 A | Northbound 9.6 A | Northbound 10.1 B | Northbound 10.1 B | Northbound 10.1 B | Northbound 10.1 B | Northbound 10.1 B | Northbound 10.1 B |
| 20 | 2nd Avenue | 12th Street | NB 1-L, 1-T, 1-T/R SB 1-L, 1-T, 1-T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | All-Way Stop With Signal | M: D | | | | 67.5 F | 66.3 F | 145.6 F | 159.4 F | 250.1 F | 54.1 D | 54.1 D | 26.7 C | 26.7 C | 26.7 C | 26.7 C | 26.7 C |
| | | | | | | | | | 10.2 B | 10.7 B | 15.5 B | 12.2 B | 25.5 C | 25.5 C | 25.5 C | 25.5 C | 25.5 C | 25.5 C | 25.5 C | 25.5 C |

Note: 1. L, T, R = Left, Through, Right.
2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
3. Level of Service analysis based on Highway Capacity Manual 2000.
4. * = Delay is over 300 seconds (5 minutes)
5. M: Marina; Ca: Caltrans; Co: Monterey County

REVISED Table 3-3: Intersection LOS Summary (continued)

| | Future Lane Configuration | Future Intersection Control | LOS Standard | Existing Conditions (2003) | | | Baseline Conditions (2003) | | | Baseline + Project Conditions | | | Cumulative Without Project Conditions | | | Cumulative With Project Conditions | | |
|----|---|---|---|----------------------------|-----------|------------|-------------------------------|-------------------------------|------------|--------------------------------|-------------------------------------|------------|---------------------------------------|-----------------------------|-------------------------------|------------------------------------|----------------------------|------------|
| | | | | AM Peak Hr | LOS (sec) | PM Peak Hr | AM Peak Hr | LOS (sec) | PM Peak Hr | AM Peak Hr | LOS (sec) | PM Peak Hr | AM Peak Hr | LOS (sec) | PM Peak Hr | AM Peak Hr | LOS (sec) | PM Peak Hr |
| 21 | Project Main Street Imjin Road | NB 1-L/T SB 1-T/R EB 1-L/R | Two-Way Stop Worst Approach With Mitigation | M: D | | | | | | 95.3 F Southbound 36.5 D | 35.1 E F Southbound 13.3 B | | N/A | | N/A | * F Southbound 10.2 B | * F Southbound 9.5 A | |
| 22 | Project Main Street Abrams Drive | NB 1-L/T/R SB 1-L/T/R EB 1-L/T/R WB 1-L/T/R | Roundabout | M: D | | | | | | A V/C = 0.17 | A V/C = 0.22 | | N/A | | N/A | A V/C = 0.22 | A V/C = 0.26 | |
| 23 | MBEST Drive Reservation Road | SB 1-L, 1-L/R, 1/R EB 2-L, 2-T WB 3-T, 1-R | Signal | M: D | | | | | | | | | | | | | | |
| 24 | Blanco Road Research Drive | NB 1-L, 2-T SB 2-T, 1-R EB 2-L, 1-R | Signal With Mitigation | Co: C | | | | | | | | | | | | | | |
| 25 | California Avenue Project Main Street | NB 1-L/T/R SB 1-L/T/R EB 1-L/T/R WB 1-L/T/R | Two-Way Stop Worst Approach With Mitigation Roundabout | M: D | | | | | | 5.0 A 10.5 B Westbound | 2.9 A 11.5 B Westbound | | 9.7 A 26.1 D Eastbound | 107.4 F * F Eastbound | 18.0 C 49.5 E Westbound | * F * F Westbound | | |
| 26 | California Avenue Reindollar Avenue | Baseline Conditions NB 1-L/R EB 1-T/R WB 1-L, 1-T | Baseline Conditions Two-Way Stop Worst Approach | M: D | | | 2.4 A 11.2 B Northbound | 3.3 A 12.0 B Northbound | | | | | | | | | | |
| 26 | California Avenue Reindollar Avenue | Baseline + Project and Cumulative NB 1-L, 1-T/R SB 1-L, 1-T/R EB 1-L, 1-T/R WB 1-L, 1-T/R | All-Way Stop | M: D | | | | | | 8.6 A | 8.8 A | | 10.1 B | 16.7 C | 10.4 B | | 18.4 C | |

Note: 1. L, T, R = Left, Through, Right.
2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
3. Level of Service analysis based on Highway Capacity Manual 2000.
4. * = Delay is over 300 seconds (5 minutes)
5. M: Marina; Co: Caltrans; Co: Monterey County

REVISED Table 3-4: Intersection Improvements Summary

| | N-S Street | E-W Street | Existing Lane Configuration | Existing Intersection Control | LOS Standard | Existing Conditions (2003) | Baseline Conditions (2003) | Baseline + Project Conditions | Cumulative Without Project Conditions | Cumulative With Project Conditions |
|---|---------------------|------------------|--|-------------------------------|--------------|----------------------------|----------------------------|-------------------------------|---|---|
| 1 | Highway 1 SB Ramps | Reservation Road | SB 1-L/T, 1-R EB 1-T/R WB 1-L, 1-T | Two-Way Stop | C+: C/D | 1. Signalize | Same as Existing. | Same as Existing. | Same as Existing. | Same as Existing. |
| 2 | Highway 1 NB Ramps | Reservation Road | NB 1-L/T, 1-R EB 1-L, 1-T WB 1-T, 1-R | Two-Way Stop | C+: C/D | None Required. | None Required. | None Required. | 1. Monitor for signalization. | 1. Monitor for signalization. |
| 3 | Del Monte Boulevard | Reservation Road | NB 1-L, 1-T, 2-R SB 2-L, 1-T, 1-T/R EB 1-L/T, 1-T/R WB 2-L, 1-T, 1-R | Signal | Mt: D | None Required. | None Required. | None Required. | 1. Convert NB Del Monte from 1-L, 1-T, 2-R to 1-L, 2-T, 1-R | 1. Convert NB Del Monte from 1-L, 1-T, 2-R to 1-L, 2-T, 1-R |
| 4 | California Avenue | Reservation Road | NB 1-L, 1-R EB 1-T, 1-T/R WB 2-T, 1-L | Two-Way Stop | Mt: D | None Required. | None Required. | None Required. | 1. Signalize. | Same as Cumulative Without Project |
| 5 | Salinas Avenue | Reservation Road | NB 1-L/R EB 1-T, 1-T/R WB 2-T, 1-L | Two-Way Stop | Mt: D | None Required. | None Required. | None Required. | 1. Signalize. | Same as Cumulative Without Project. |
| 6 | Injlin Road | Reservation Road | NB 2-L, 1-T/R, 1-R SB 1-L, 1-T, 1-R EB 2-L, 2-T, 1-R WB 2-L, 2-T, 1-R | Signal | Mt: D | None Required. | None Required. | None Required. | 1. Modify NB Injlin from 2-L, 1-T/R, 1-R to 1-L, 2-T, 2-R 2. Add 2nd SB T lane on Injlin. 3. Add 3rd WB L turn lane. OR 1. Modify NB Injlin from 2-L, 1-T/R, 1-R to 1-L, 2-T, 1-R 2. Add 2nd SB T lane on Injlin. 3. Construct Blanco Ext between Reservation Rd & Injlin Rd. | 1. Modify NB Injlin from 2-L, 1-T/R, 1-R to 1-L, 2-T, 2-R 2. Add 2nd SB T lane on Injlin. 3. Add 3rd WB L turn lane. 4. Add 3rd EB T lane on Reser. OR 1. Modify NB Injlin from 2-L, 1-T/R, 1-R to 1-L, 2-T, 1-R 2. Add 2nd SB T lane on Injlin. 3. Construct Blanco Ext between Reservation Rd & Injlin Rd. |
| 7 | Blanco Road | Reservation Road | SB 2-L, 2-R EB 2-L, 2-T WB 1-L, 1-T | Signal | Co: C | None Required. | None Required. | None Required. | 1. Add 2nd WB through lane. OR Construct 2-6: 2. Construct Blanco Ext between Reservation Rd & Injlin Rd. 3. NB Approach: 1 L, 3 T, 1 R. 4. SB Approach: 2 L, 3 T, 1 free R 5. EB Approach: 2 L, 2 T, 1 T/R. 6. WB Approach: 2 L, 2 T, 1 R. | 1. Add 2nd WB through lane. OR Construct 2-6: 2. Construct Blanco Ext between Reservation Rd & Injlin Rd. 3. NB Approach: 1 L, 3 T, 1 R. 4. SB Approach: 2 L, 3 T, 1 free R 5. EB Approach: 2 L, 2 T, 1 T/R. 6. WB Approach: 2 L, 2 T, 1 R. |
| 8 | Injlin Road | Preston Drive | NB 1-L, 1-T SB 1-T, 1-R EB 1-L/R | Two-Way Stop | Mt: D | 1. Signalize | 1. Signalize | 1. Signalize | 1. Signalize 2. Widen Injlin to 4 Lanes. | 1. Signalize 2. Widen Injlin to 4 Lanes. |

Note:
 1. L, T, R = Left, Through, Right.
 2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
 3. M: Marine; Co: Caltrans; Co: Monterey County

REVISED Table 3-4: Intersection Improvements Summary (continued)

| | | Existing Lane Configuration | Existing Intersection Control | LOS Standard | Existing Conditions (2003) | Baseline Conditions (2003) | Baseline + Project Conditions | Cumulative Without Project Conditions | Cumulative With Project Conditions |
|----|---|--|---|--------------|----------------------------|---|-------------------------------|--|-------------------------------------|
| | N-S Street E-W Street | | | | | | | | |
| 9 | Imjin Road Abrams Drive | NB 1-L, 1-T, 1-R SB 1-L, 1-T, 1-R EB 1-L/T, 1-R WB 1-L/T, 1-R | Signal | M: D | None Required. | None Required. | None Required. | 1. Widen Imjin to 4 Lanes. 2. Add 2nd L lane on SB Imjin approach to Abrams. | Same as Cumulative Without Project. |
| 10 | Highway 1 12th Street | NB 1-L/T, 1-R EB 1-L/T, 1-T WB 1-T, 1-R | Two-Way Stop | Ca: C/D | None Required. | 1. Add free flow right turn lane to NB off-ramp. 2. Change WB R turn lane to shared T/R. 3. Change EB approach to 1-L/T. | Same as Baseline. | Same as Baseline. | Same as Baseline. |
| 11 | Highway 1 12th Street | SB 1-L, 1-L/T WB 1-L | Two-Way Stop | Ca: C/D | None Required. | 1. Signalize 2. Convert 2 EB/1 WB lanes on bridge to 1 EB/2WB lanes. 3. Change SB Off Ramp from 1-L;1-L/T to 1-L;1-T. 4. Widen SB on-ramp to 2 lanes & transition to 1 lane. | Same as Baseline. | Same as Baseline. | Same as Baseline. |
| 12 | Del Monte Boulevard Reindollar Avenue | NB 1-L, 2-T, 1-R SB 1-L, 2-T WB 1-L, 1-L/R | Signal | M: D | None Required. | None Required. | None Required. | None Required, unless the extension of 2nd Ave. requires reconfiguration due to change in the south leg. | Same as Cumulative Without Project. |
| 13 | California Avenue Camel Avenue | NB 1-L, 1-T/R SB 1-L, 1-T/R EB 1-L/T, 1-R WB 1-L/T, 1-R | All-Way Stop | M: D | None Required. | None Required. | None Required. | None Required. | None Required. |
| 14 | Salinas Avenue Camel Avenue | Future Lane Configuration SB 1-L/R EB 1-T/R WB 1-L/T | Future Intersection Control Two-Way Stop | M: D | | | None Required. | None Required. | None Required. |

Note:
 1. L, T, R = Left, Through, Right.
 2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
 3. M: Marina; Ca: Caltrans; Co: Monterey County

REVISED Table 3-4: Intersection Improvements Summary (continued)

| | | Future Lane Configuration | Future Intersection Control | LOS Standard | Existing Conditions (2003) | Baseline Conditions (2003) | Baseline + Project Conditions | Cumulative Without Project Conditions | Cumulative With Project Conditions |
|----|---|--|-----------------------------|--------------|----------------------------|---|---|--|------------------------------------|
| | N-S Street E-W Street | | | | | | | | |
| 15 | Injin Road (south leg) 12th Street (west leg) | NB 2-L, 1-R EB 1-T, 1-T/R WB 1-L, 2-T | Two-Way Stop | M: D | | 1. Signalize 2. Add 2nd LT to WB Injin approach. | Same as Baseline. | Same as Baseline. | Same as Baseline. |
| 16 | Abrams Drive 12th Street | SB 1-U/R EB 1-L, 2-T WB 1-T, 1-T/R | Two-Way Stop | M: D | | None Required. | 1. Signalize. | None Required. | Same as Baseline plus Project. |
| 17 | California Avenue 12th Street | NB 1-L/T/R SB 1-L/T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | Two-Way Stop | M: D | | None Required. | 1. Signalize 2. Add an exclusive RT lane on the SB California Ave approach 3. Add an exclusive RT lane on the NB California Ave approach. | 1. Signalize 2. Add an exclusive RT lane on the SB California Ave approach. 3. Add an exclusive RT lane on the NB California Ave approach. | Same as Cumulative Without Project |
| 18 | 4th Avenue 12th Street | NB 1-L/T/R SB 1-L/T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | Two-Way Stop | M: D | | None Required. | None Required. | 1. Signalize 2. Add an exclusive RT lane on the SB 4th Ave approach. 3. Add an exclusive RT lane on the NB 4th Ave approach. | Same as Cumulative Without Project |
| 19 | 3rd Avenue 12th Street | NB 1-L, 1-T/R SB 1-L, 1-T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | Two-Way Stop | M: D | | None Required. | None Required. | 1. Signalize | Same as Cumulative Without Project |
| 20 | 2nd Avenue 12th Street | NB 1-L, 1-T, 1-T/R SB 1-L, 1-T, 1-T/R EB 1-L, 1-T, 1-T/R WB 1-L, 1-T, 1-T/R | All-Way Stop | M: D | | 1. Signalize | Same as Baseline. | Same as Baseline. | Same as Baseline. |

Note:
 1. L, T, R = Left, Through, Right.
 2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
 3. M: Marine; Car: Caltrans; Co: Monterey County

REVISED Table 3-4: Intersection Improvements Summary (continued)

| | N-S Street | E-W Street | Future Lane Configuration | Future Intersection Control | LOS Standard | Existing Conditions (2003) | Baseline Conditions (2003) | Baseline + Project Conditions | Cumulative Without Project Conditions | Cumulative With Project Conditions |
|----|---------------------|-------------------|---|---|--------------|----------------------------|----------------------------|---|---|--|
| 21 | Project Main Street | Imjin Road | NB 1-LT SB 1-T/R EB 1-L/R | Two-Way Stop | M: D | | | 1. Signalize. 2. Provide exclusive LT and exclusive RT lanes on SB Main St approach to Imjin. 3. Provide left and right turn channelization on Imjin at Main. | 1. Widen Imjin to 4 Lanes. | 1. Signalize 2. Provide exclusive LT and exclusive RT lanes on SB Main St approach to Imjin. 3. Provide left and right turn channelization on Imjin at Main. 4. Widen Imjin to 4 lanes. |
| 22 | Project Main Street | Abrams Drive | NB 1-L/T/R SB 1-L/T/R EB 1-L/T/R WB 1-L/T/R | Roundabout | M: D | | | None Required. | None Required. | None Required. |
| 23 | MBEST Drive | Reservation Road | SB 1-L, 1-L/R, 1-T EB 2-L, 2-T WB 3-T, 1-R | Signal | M: D | | | None Required. | None Required. (Widening at Imjin and Blanco Intersections may result in widening at this intersection.) | Same as Cumulative Without Project. |
| 24 | Blanco Road | Research Drive | NB 1-L, 2-T SB 2-T, 1-R EB 2-L, 1-R | Signal | C: C | | | None Required. | 1. Widen Blanco Road to 6 Lanes. 2. Add dual LT lane on WB & EB approaches. | Same as Cumulative Without Project. |
| 25 | California Avenue | Main Street | NB 1-L/T SB 1-T/R EB 1-L/R | Two-Way Stop | M: D | | | 1. Design and construct as a roundabout. | 1. Design and construct as a roundabout. | 1. Design and construct as a roundabout. |
| 26 | California Avenue | Reindollar Avenue | Baseline Conditions NB 1-L/R SB 1-T/R WB 1-L, 1-T Baseline + Project and Cumulative NB 1-L, 1-T/R SB 1-L, 1-T/R EB 1-L, 1-T/R WB 1-L, 1-T/R | Baseline Conditions Two-Way Stop All-Way Stop | M: D | | None Required. | | | |
| 26 | California Avenue | Reindollar Avenue | | | M: D | | | None Required. | None Required. | None Required. |

Note:
 1. L, T, R = Left, Through, Right.
 2. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
 3. M: Major; Ca: Caltrans; Co: Monterey County

FEIR EXHIBIT A: Highway 1 Travel Time Survey Results

HIGHWAY 1 TRAVEL TIME STUDY SOUTHBOUND AM PEAK HOUR

| Node # | Length | Node | Travel Time (Secs) | # of Stops | Average Speed (mph) | Total Delay (Secs) | Time <= 0 MPH (Secs) | Time <= 35 MPH (Secs) | Time <= 65 MPH (Secs) | LOS |
|--------|--------|-----------------------|-----------------------|---------------|------------------------|-----------------------|----------------------------|-----------------------------|-----------------------------|-----|
| 1 | 0 | 12th St SB On | | | | | | | | |
| 2 | 7723 | Fort Ord Main SB Off | 85.5 | 0.0 | 61.6 | 0.0 | 0.0 | 1.7 | 65.0 | D |
| 3 | 9718 | Sand City SB Off | 164.3 | 1.3 | 40.3 | 38.5 | 1.8 | 84.5 | 125.5 | F |
| 4 | 7570 | Rte 218 SB Off | 138.5 | 0.3 | 37.3 | 18.3 | 0.0 | 77.3 | 126.8 | F |
| 5 | 2688 | Del Monte Ave SB Off | 34.5 | 0.0 | 53.1 | 0.0 | 0.0 | 0.0 | 34.5 | E |
| 6 | 2224 | Casa Verde Way SB Off | 27.8 | 0.0 | 54.5 | 0.0 | 0.0 | 0.0 | 27.7 | E |
| 7 | 2697 | Rte 68E SB Off | 29.7 | 0.0 | 62.0 | 0.0 | 0.0 | 0.0 | 20.3 | E |
| 8 | 2830 | Aguaquito Rd SB Off | 29.5 | 0.0 | 65.5 | 0.0 | 0.0 | 0.0 | 9.5 | A |
| 9 | 7040 | Murras Ave SB Off | 74.3 | 0.0 | 64.6 | 0.0 | 0.0 | 0.0 | 36.3 | C |
| TOTAL | 42,490 | | 584.1 | 1.7 | 49.6 | 56.8 | 1.8 | 163.5 | 445.7 | E |

HIGHWAY 1 TRAVEL TIME STUDY NORTHBOUND PM PEAK HOUR

| Node # | Length | Node | Travel Time (Secs) | # of Stops | Average Speed (mph) | Total Delay (Secs) | Time <= 0 MPH (Secs) | Time <= 35 MPH (Secs) | Time <= 65 MPH (Secs) | LOS |
|--------|--------|-----------------------|-----------------------|---------------|------------------------|-----------------------|----------------------------|-----------------------------|-----------------------------|-----|
| 1 | 0 | Murras Ave NB On | | | | | | | | |
| 2 | 5177 | Aguaquito Rd NB Off | 57.2 | 0.0 | 61.7 | 0.0 | 0.0 | 0.0 | 32.8 | D |
| 3 | 3632 | Rte 68E NB Off | 49.0 | 0.0 | 50.5 | 2.8 | 0.0 | 11.0 | 45.0 | F |
| 4 | 2364 | Casa Verde Way NB Off | 42.3 | 0.0 | 38.1 | 13.3 | 0.0 | 21.0 | 38.5 | F |
| 5 | 1842 | Del Monte Ave NB Off | 30.5 | 0.0 | 41.2 | 7.5 | 0.0 | 14.3 | 20.3 | F |
| 6 | 2742 | Rte 218 NB Off | 63.0 | 0.0 | 29.7 | 22.8 | 0.0 | 40.8 | 59.0 | F |
| 7 | 6770 | Fremont Blvd NB Off | 88.3 | 0.0 | 52.3 | 0.0 | 0.0 | 10.7 | 83.8 | E |
| 8 | 12170 | Fort Ord Main NB Off | 127.5 | 0.0 | 65.1 | 0.0 | 0.0 | 0.0 | 51.2 | A |
| 9 | 7720 | 12th St NB Off | 78.2 | 0.0 | 67.3 | 0.0 | 0.0 | 0.0 | 16.7 | A |
| TOTAL | 42,417 | | 536.0 | 0.0 | 54.0 | 46.5 | 0.0 | 97.8 | 347.3 | E |

- Notes:
1. Travel time results provided by Caltrans District 5.
 2. LOS: Level of service.
 3. LOS based on average travel time speed and a free flow speed of 65 mph using Exhibit 23-2 of the Highway Capacity Manual 2000.

COMMENTS AND RESPONSES

This chapter contains comments, both written and verbal, on the Draft EIR on the Marina Heights Specific Plan/Abrams "B" Housing Project. Letters received during the 45-day public review period are listed first. These letters are followed by the minutes of the Planning Commission's public hearing on the Draft EIR. Each letter and the minutes of the public hearing are marked to identify distinct comments on the Draft EIR. Responses to these comments are provided following each letter and the comments from the public hearing.

Throughout the responses to comments, where a specific comment has been addressed previously, a reference to the response in which the comment is discussed may be provided in order to reduce repetition.

As noted in the **PREFACE**, in several instances responding to a comment received on the Draft EIR has resulted in a revision to the text of the Draft EIR. In other cases, the information provided in the responses is deemed adequate in itself, and modification of the Draft EIR text was not deemed appropriate.

In reviewing the comments received on the Draft EIR, it should be noted that while some of the material submitted provides opinion on the proposed Project or addresses features and characteristics of the Project as currently proposed, such material may not address the environmental analysis presented in the Draft EIR. Responses presented in this document focus only on those comments which bear a direct relationship to the Draft EIR, as required under CEQA. While other comments that are not directly related to the Draft EIR may be acknowledged, it is beyond the scope of the Final EIR to provide responses to these comments or opinions.

Several additional points to keep in mind in reviewing the comments received on the Draft EIR are presented in Section 15204 of the CEQA Guidelines (as revised on October 28, 1998) which states that a Lead Agency need not “conduct every test or perform all research, study, and experimentation recommended or demanded by commentors.”, in Section 15003 (h) which states that “CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR’s environmental conclusions, but only determines if the EIR is sufficient as an informational document.”, and in Section 15003 (j), which states: “CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement.”.

The letters received on the Draft EIR are listed below, followed by the summary of the verbal comments received at the Planning Commission’s meeting of August 4, 2003. Each letter has been marked to identify each specific comment in the right-hand margin (i.e., A-1, B-2, etc.). Following each letter, the response to each identified comment in that letter is presented sequentially (for example, the first comment on the Draft EIR identified in LETTER C is identified as C-1 in the right-hand margin of the letter, and the corresponding response immediately following LETTER C is coded as RESPONSE C-1). In order to avoid repetition, where individual comments focus on the same issues raised in a previous comment or comments, the response to those comments may make reference to a previous response or responses.

LIST OF LETTERS

- A. Gudrun Beck, Conservation Committee Co-Chair, Ventana Chapter, Sierra Club, July 28, 2003.
- B. Richard Boynton, Chairman, Marina Tree Committee, July 29, 2003.
- C. Gudrun Beck, Conservation Co-Chair, Ventana Chapter, Sierra Club, July 30, 2003.
- D. Janet Brennan, Supervising Planner, Planning and Monitoring Division, Monterey Bay Unified Air Pollution Control District, July 30, 2003.
- E. Mary Jo Zenk, Deputy Executive Director, Housing Authority, County of Monterey, July 30, 2003.

- F. Linda Sanchez, Executive Director, Sun Street Centers, July 31, 2003.
- G. Jennifer Lagier, August 4, 2003.
- H. Beverly G. Bean, President, The League of Women Voters of the Monterey Peninsula, August 5, 2003.
- I. Janet Brennan, Supervising Planner, Planning and Air Monitoring Division, Monterey Bay Unified Air Pollution Control District, August 7, 2003.
- J. David B. Meza, District Engineer, Marina Coast Water District, August 14, 2003.
- K. Carl Sedoryk, Assistant General Manager/CFO, Monterey-Salinas Transit, August 15, 2003.
- L. Suzanne Worcester, Ph.D., August 17, 2003.
- M. Grace Silva-Santella, August 17, 2003.
- N. Paula F. Pelot, Chairperson, Preston Park Tenants Association, August 18, 2003.
- O. Wm. Reichmuth, P.E., Executive Director, Transportation Agency for Monterey County, August 18, 2003.
- P. Thomas P. Moore, Ph.D., C.P.L., August 18, 2003.
- Q. Mary Ann Matthews. Conservation Chair, Monterey Bay Chapter, California Native Plan Society, August 18, 2003.
- R. Mary Jo Zenk, Deputy Executive Director, Housing Authority, County of Monterey, August 18, 2003.
- S. Bruce Delgado, August 18, 2003.
- T. Robert D. "Dan" O'Brien, August 18, 2003.
- U. Mike Galizio, District 5 Development review Branch, California Department of Transportation, August 18, 2003.

COMMENTS AND RESPONSES

V. D. Steven Endsley, Director of Planning and Finance, Fort Ord Reuse Authority, August 18, 2003.

W. Bob R. Jones, Housing Administrator, Interim Incorporated, August 18, 2003.

X. William T. Samples, Citizen of Marina, August 18, 2003.

Y. Karen Schkolnick, R.E.H.S., Supervising Environmental Health Specialist, Monterey County Department of Environmental Health, August 18, 2003.

Z. Colette Marie McLaughlin, Ph.D., Facilities Planner, Monterey Peninsula Unified School District, August 18, 2003.

AA. Nicolas Papadakis. Executive Director, Association of Monterey Bay Area Governments, August 14, 2003.

BB. Terry Roberts, Director, State Clearinghouse, Governor's Office of Planning and Research, August 19, 2003.

Verbal Comments Summary – Marina Planning Commission Hearing, August 8, 2003.

*2 pages total***SIERRA
CLUB****VENTANA CHAPTER**

P.O. Box 5667 Carmel, California 93921 408 • 624 • 8032

LETTER A

July 28, 2000

By fax

Haywood Norton, Senior Planner
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

Re: Marina Heights Specific Plan

The Sierra Club Ventana Chapter is currently reviewing the Draft EIR for the Marina Heights project. There are two areas which must be addressed for the Final EIR where we find information and analysis missing in the DEIR.

Although Biological Resources covering plant and animal species and habitat are reported in Section 6, there is no tree survey. There is no indication of the trees to be preserved in the greenbelt. There is no tree study (count/type/size) for the 258 acres that will be developed. There is no grading overlay to determine what trees could be preserved. There are no mitigation plans to save important trees through avoidance. Avoidance is meant to be the primary CEQA method of dealing with potential impacts. When not possible, then tree replanting (as at Ryan Ranch Business Park, Pasadera, Monterra) should be considered. This data must be analyzed for impacts and realistic mitigation measures determined. (A copy of Page 1 from the Tree Survey for the Kaufman and Broad Fort Ord Project - which was included in the Hayes Housing DEIR - is attached.)

A-1

The DEIR cites FORA traffic forecasts to 2022 to calculate cumulative traffic impacts (Section 3, Traffic and Circulation). Impacts to Highway 1 from Seaside Highlands (Hayes Housing); Stillwell Housing; Seaside Resort Hotel, Timeshares and Housing; East Garrison; CSUMB; University Housing should be included in the DEIR to determine near term cumulative traffic impacts.

A-2

Thank you for your attention.

Gudrun Beck
Gudrun Beck, Conservation Committee Co-Chair
23765 Spectacular Bid Lane
Monterey, CA 93940
Phone & fax 655-8586
clarkbeck@redshift.com

GB/GT

To explore, enjoy, and protect the nation's scenic resources

LETTER A (continued)

Preliminary Tree Survey for Kaufman Broad Fort Ord Project

Appendix I, Page 1

OF 13

SURVEYED 658 TREES OVER 6"

| Site Code | Property Number | Position | Map Page | Species | Diameter | Height | Spread | Vigor | Structure | Retention Potential | Comments |
|-----------|-----------------|----------|----------|------------------|----------|--------|--------|-------|-----------|---------------------|--|
| 7 | 7900 | 1 | 5 | Monterey pine | 29 | 55 | 45 | 0 | 5 | 0 | Dead |
| 7 | 7902 | 1 | 5 | Monterey pine | 26 | 40 | 40 | 4 | 2 | 0 | |
| 7 | 7903 | 1 | 5 | Monterey pine | 26 | 40 | 35 | 0 | 3 | 0 | Dead |
| 7 | 7905 | 1 | 5 | Monterey pine | 34 | 55 | 45 | 0 | 3 | 0 | Dead |
| 7 | 7905 | 2 | 5 | M. cypress | 70 | 40 | 50 | 7 | 6 | 7 | Will require pruning |
| 7 | 7905 | 3 | 5 | E. camaldulensis | 48 | 30 | 35 | 7 | 1 | 0 | 14", 8", 6", 6", 6", 6", 7", 7" |
| 7 | 7905 | 4 | 5 | E. camaldulensis | 36 | 30 | 35 | 6 | 3 | 0 | 16", 8" |
| 7 | 7905 | 5 | 5 | E. camaldulensis | 7 | 20 | 15 | 6 | 1 | 0 | |
| 7 | 7906 | 1 | 3 | Monterey pine | 24 | 30 | 30 | 0 | 1 | 0 | Dead |
| 7 | 7906 | 2 | 3 | Monterey pine | 44 | 35 | 40 | 0 | 1 | 0 | Dead |
| 7 | 7907 | 1 | 3 | M. cypress | 55 | 35 | 45 | 8 | 6 | 8 | Pruning |
| 7 | 7907 | 2 | 3 | E. camaldulensis | 28 | 30 | 20 | 7 | 1 | 0 | 2 trunks, topped |
| 7 | 7907 | 3 | 3 | E. camaldulensis | 28 | 30 | 30 | 6 | 3 | 4 | Multiple failures |
| 7 | 7909 | 1 | 3 | Bl. acacia | 18 | 35 | 30 | 7 | 2 | 0 | |
| 7 | 7909 | 2 | 3 | Bl. acacia | 18 | 35 | 30 | 7 | 3 | 0 | |
| 7 | 7910 | 1 | 3 | E. camaldulensis | 22 | 30 | 25 | 6 | 1 | 0 | |
| 7 | 7910 | 2 | 3 | E. camaldulensis | 16 | 30 | 20 | 6 | 1 | 0 | |
| 7 | 7910 | 3 | 3 | Monterey pine | 12 | 15 | 15 | 0 | 3 | 0 | Dead |
| 7 | 7911 | 1 | 3 | Monterey pine | 24 | 30 | 35 | 0 | 3 | 0 | Dead |
| 7 | 7911 | 2 | 3 | M. cypress | 60 | 40 | 40 | 7 | 1 | 5 | Many failures |
| 7 | 7912 | 1 | 3 | E. camaldulensis | 26 | 35 | 30 | 3 | 5 | 3 | Multi |
| 7 | 7912 | 2 | 3 | E. camaldulensis | 30 | 35 | 30 | 4 | 2 | 2 | 3 trunks |
| 7 | 7912 | 3 | 3 | Monterey pine | 30 | 35 | 30 | 0 | 3 | 0 | Dead |
| 7 | 7913 | 1 | 3 | E. camaldulensis | 14 | 20 | 15 | 1 | 5 | 0 | |
| 7 | 7913 | 2 | 3 | E. camaldulensis | 30 | 35 | 40 | 6 | 2 | 2 | |
| 7 | 7914 | 1 | 3 | E. camaldulensis | 30 | 35 | 30 | 8 | 2 | 0 | |
| 7 | 7914 | 2 | 3 | E. camaldulensis | 60 | 35 | 30 | 6 | 1 | 0 | 6 trunks |
| 7 | 7914 | 3 | 3 | E. camaldulensis | 38 | 35 | 40 | 7 | 3 | 0 | 3 trunks |
| 7 | 7915 | 1 | 3 | M. cypress | 32 | 40 | 35 | 2 | 4 | 1 | |
| 7 | 7915 | 2 | 3 | E. camaldulensis | 20 | 20 | 20 | 2 | 3 | 0 | Multi |
| 7 | 7915 | 3 | 3 | E. camaldulensis | 80 | 25 | 25 | 2 | 3 | 0 | Many small trunks |
| 7 | 7915 | 4 | 3 | M. cypress | 38 | 25 | 40 | 6 | 1 | 0 | Topped |
| 7 | 7915 | 5 | 3 | E. camaldulensis | 14 | 30 | 25 | 4 | 6 | 2 | |
| 7 | 7915 | 6 | 3 | E. camaldulensis | 29 | 30 | 30 | 4 | 4 | 2 | Multiple failures |
| 7 | 7915 | 7 | 3 | E. camaldulensis | 20 | 30 | 30 | 5 | 3 | 2 | |
| 7 | 7916 | 1 | 3 | Live Oak | 18 | 20 | 20 | 4 | 6 | 6 | Sparse ✓ |
| 7 | 7916 | 2 | 3 | M. cypress | 42 | 35 | 50 | 7 | 5 | 8 | |
| 7 | 7916 | 3 | 3 | E. camaldulensis | 6 | 15 | 5 | 1 | 3 | 0 | 2 trunks - included as reference point |
| 7 | 7916 | 4 | 3 | E. camaldulensis | 30 | 20 | 20 | 2 | 2 | 0 | 3 trunks |
| 7 | 7916 | 5 | 3 | E. camaldulensis | 28 | 25 | 25 | 3 | 3 | 1 | |
| 7 | 7916 | 6 | 3 | M. cypress | 36 | 35 | 40 | 7 | 2 | 0 | Topped |
| 7 | 7916 | 7 | 3 | M. cypress | 52 | 35 | 45 | 7 | 6 | 8 | |
| 7 | 7917 | 1 | 3 | E. camaldulensis | 40 | 40 | 40 | 3 | 2 | 0 | |
| 7 | 7917 | 2 | 3 | Aleppo pine | 12 | 15 | 15 | 2 | 2 | 1 | 2 trunks |
| 7 | 7917 | 3 | 3 | E. camaldulensis | 16 | 20 | 25 | 2 | 5 | 1 | 2 trunks |
| 7 | 7917 | 4 | 3 | Monterey pine | 18 | 25 | 20 | 0 | 3 | 0 | Dead |
| 7 | 7917 | 5 | 3 | Monterey pine | 10 | 12 | 10 | 2 | 2 | 0 | |
| 7 | 7917 | 6 | 3 | E. camaldulensis | 18 | 20 | 30 | 2 | 1 | 0 | 3 trunks, fallen |
| 7 | 7917 | 7 | 3 | Aleppo pine | 12 | 15 | 15 | 1 | 3 | 0 | |
| 7 | 7917 | 8 | 3 | M. cypress | 80 | 10 | 55 | 7 | 7 | 9 | |
| 7 | 7917 | 9 | 3 | Bl. acacia | 12 | 15 | 15 | 1 | 3 | 0 | |
| 7 | 7918 | 1 | 3 | M. cypress | 32 | 50 | 35 | 8 | 3 | 5 | Failures |

DEIR RECOMMENDED THAT TREES 6" & ABOVE ARE VALUABLE

Dorothy Abeyta
Joseph McNeil

ASSETS TO PROPERTY. JB

May 22, 1997

Letter A: Gudren Beck, Sierra Club, 7/28/03

Comment A-1: Although Biological Resources covering plant and animal species and habitat are reported in Section 6, there is no tree survey. There is no indication of the trees to be preserved in the greenbelt. There is no tree study (count/type/size) for the 258 acres that will be developed. There is no grading overlay to determine what trees could be preserved. There are no mitigation plans to save important trees through avoidance. Avoidance is meant to be the primary CEQA method of dealing with potential impacts. When not possible, then tree replanting (as at Ryan Ranch Business Park, Pasadera, Monterra) should be considered. This data must be analyzed for impacts and realistic mitigation measures determined. (A copy of Page 1 from the Tree Survey for the Kaufman and Broad Fort Ord Project – which was included in the Hayes Housing DEIR – is attached.)

RESPONSE A-1: Comment noted. As indicated in this comment, no tree survey was presented as part of the DEIR. However, there is no requirement, either under CEQA or under current City of Marina policies or regulations, that such a survey be included in an environmental review document. The DEIR does not identify individual trees within the Specific Plan area, and does not indicate which trees would be removed and which trees would be retained under the Specific Plan. The proposed Specific Plan provides the basis for the DEIR's analysis, and it does not provide any information regarding the location of existing trees within the Specific Plan area, or the number and location of trees that would be removed to enable development.

The Marina General Plan includes policies to retain/develop windrows, to protect oak woodland, and to protect individual oaks with a diameter of 6 inches or more when measured 4.5 feet from ground level (or to replace specimens to be removed on at least a one-to-one basis). The City of Marina has not identified any individual trees within the Specific Plan area (or anywhere in the city) as "landmark trees" under the City's tree preservation ordinance, or otherwise designated individual trees for special protection. None of the trees within the Specific Plan area have been identified as "special-status species" that would require preservation or protection under the jurisdiction of the state or federal resource protection agencies. In the absence of any requirement to protect specific trees or classes of trees (with the exception of oaks or trees within oak woodlands), there is no basis for preventing property owners from removing trees from their property as long as this is accomplished in compliance with the provisions of the City's tree preservation ordinance. The removal of non-protected trees is not considered a significant environmental impact, and no mitigation

(including avoidance, except in the case of oak trees and trees within oak woodlands) would be indicated.

Although landscaping plans for the Specific Plan area have not yet been developed, these plans are expected to include trees that, over time, would be expected to grow to maturity on-site, just as many of the existing trees planted following the Army's grading and residential development within the Specific Plan area have.

The Project Applicant is submitting a Tree Removal Application to the City of Marina, according to which 2,806 existing trees are presently located within the Specific Plan area. Of these, 629 are dead or dying. Of the 2,177 remaining viable trees, the Project Applicant proposes to preserve 800 trees in their existing locations, to relocate 641 trees within the Specific Plan area, and to remove 736 trees. The Project Applicant further proposes to replace the 736 removed trees at a ratio of three-to-one, for a total of 2,208 new trees. The 2,208 new trees plus the 1,441 preserved and protected trees would increase the total number of trees within the Specific Plan area to 3,649.

Comment A-2: The DEIR cites FORA traffic forecasts to 2022 to calculate cumulative traffic impacts (Section 3, Traffic and Circulation). Impacts to Highway 1 from Seaside Highlands (Hayes Housing); Stillwell Housing; Seaside Resort Hotel, Timeshares and Housing; East Garrison; CSUMB; University Housing should be included in the DEIR to determine near term cumulative traffic impacts.

RESPONSE A-2: Opinion noted. The cumulative traffic analysis presented in the DEIR was geared to Year 2020, and the development assumptions for the Marina area are presented in **Table 3-5: Trip Generation Rates for Cumulative Projects** (DEIR page 3-40). Although the DEIR did not evaluate cumulative traffic conditions in the near-term, the regional model includes the development cited in the comment.

Date: 7/29/03

From: Marina Tree Committee (MTC)

TO: Haywood Norton, Senior Planner

RE: Marina Heights DEIR Comments/Questions by unanimous vote by MTC 26 July 03

Trees and their removal or preservation has been a community issue for the last decade. The draft EIR should not have ignored this issue when planning to clear cut 238 of the 248 acres. B-1

The DRAFT EIR in general and the Biological Resources Chapter 6 specifically, is not complete because the applicant withheld his tree survey conducted earlier in the year. Without such a listing of totals, numbers to be removed and preserved, it is impossible to realistically gauge impacts, significant or otherwise. The applicant has indicated the tree survey will be provided soon. Since the draft EIR will not be complete until then, I ask *why should the 45 day period for public response not start until this remaining part of the EIR is available for public review?* B-2

- I. We see several significant CEQA impacts on the visual quality and aesthetics of the Marina Heights project re: Draft EIR, chapter 8, page 8-13. B-3

Under Significance Criteria, the implementation of the Specific Plan would have a significant impact because of (A) A substantial adverse effect on a scenic vista and (B) Substantial degradation of the existing visual character or quality of the site and its surroundings.

SCENIC VISTAS

A. The applicant argues that because, "There are no designated (italics added) scenic vistas..." "Therefore...no impact on a designated scenic vista." The problem with the applicant's logic is that CEQA language has no reference to designated vistas, let alone requiring any such designation as a requirement for a vista to be considered scenic. Therefore absence of "designated" status is irrelevant in determining impact on scenic vistas

- 1.) The applicant also mentions the visually pleasing and aesthetically beneficial existing 10 acres of oak woodland, a portion of which will be preserved as open space. We agree about the oaks and would add that the oaks are located in the low arroyos and basin of the project. As such there is no view of the preserved oaks except for the homes immediately adjacent and over looking the depressed areas of oaks. Most of the homes will not overlook the oak areas. As such, the preservation of the 10 acres of oaks does not fully mitigate the complete removal of all other trees on the remaining 238 acres. Only one EIR photo, of 15 shown on page 8-7 to 8-15, shows the oak woodland in a low basin. Oaks can not be viewed on any of the other 14 photos.

2.) We see the photo in figure 8.13 as a scenic vista because of the canopy cover. Even though the oak woodland is included in the photo, it is not noticeable because of its low-lying nature. The relatively low canopy of not very tall oak trees make them even more inconspicuous from Imjun road, where the shot was taken. What canopy does stand out and makes the vista aesthetically pleasing are those of the pine and cypress destined to be completely clear cut by the applicant. Just imaging the conspicuous canopy in figure 8.13 absent, illustrates *a substantial adverse effect* on just this *one scenic vista*.

- B. On page 6-2, the applicant describes the existing biological resources and states, "Monterey Pine and Monterey cypress were planted throughout the (248 acre) site, probably for visual screening and to create wind breaks, and there is a concentrated planting area in the northeastern portion of the Specific Plan area."
- 1.) Since there is no mention of preservation of any trees besides the 10 acres of green belt oaks. We conclude the applicant intends to remove all other trees throughout the remaining 238 acres. In and of itself, removal of 1000 trees can not avoid impacting the aesthetics and visual character of the site.
 - 2.) 2.) All 15 photos submitted by the applicant, on pages 8-7 through 8-15-show medium to upper story canopy Monterey Pine and Cypress planted for windbreak and aesthetic effect throughout the site.

Although the applicant has conducted a survey count of all trees on the 248-acre site earlier in 2003, no such important biological resource data was provided in the draft EIR. As a pure guestimate (assuming at least a handful of trees per acre), there may be $238 \times 5 = 1190$ trees. The applicant has promised to provide the tree count by 20 July. As of this date no tree survey has been available to the public. Therefore, We assume roughly that 1000 trees may be removed.

The applicant correctly observes the dilapidated state of the existing homes on the site. We add the observation that except for the figure 8-15 photo, the trees in all of the other 14 photos hide the blighted appearance of the abandon homes. In fact, except for the close-up figure 8-15 photo, the casual observer can not tell from the photos taken from a distance, whether the homes are brand new chadmar homes or old abandoned Ft.Ord houses.

To easily appreciate how the removal of all 1000 mid to upper canopy cypress & pine trees throughout the remaining 238 acres would result in the "*substantial degradation of the existing visual character or quality of the site*"; one only has to imagine the absence of all trees in 13 photos (except figure 8.12 oak grove). Bare walls & roof tops whether new or old would drastically alter the visual character of the views; and we believe it would lower the visual quality substantially.

2. CULMULATIVE IMPACTS Chapt 11 page 11-15

B-4

The highest elevation point of the site is by the water tower, hence the name "Marina Heights". Practically every home on the southwestern half of the development has a view of the blue Pacific with an intervening cushion of green tree top canopy.

Part of the intervening canopy is from the immediately adjacent Cypress Knolls development across California Ave. The last draft EIR for Cypress Knolls stated 106 trees to be removed with none identified for preservation.

Also visible from Marina Heights is the distant tree lines of our third major development "University Village"

Even if the clear cutting of the 238 acres of the Marina Heights project was judged "minor" We submit that similar *removals on the other two projects taking place over a period of time do compound or increase other environmental impacts and therefore are collectively significant!*

3. MITIGATIONS

B-5

The developer says that grading and building improvements are the reason for clear-cutting all 238 acres outside the greenbelt. Although, it is easier, more profitable, and efficient to clear cut, I do not see why the outside perimeters of the development along the Ft. Ord fence line and Carmel. California, Imjin Road ways require such drastic grading that trees along those edges could not be preserve. The interior perimeters of the Greenbelt, Oak Woodland, Parks and School sites should also allow some judicious preservation.

For instance the steep slope along the East Side of the arroyo greenbelt has several upper canopy trees. They are just outside the 150-foot width of the greenbelt, but are obviously not in the way of residential grading. Why not preserve them and also keep the natural cover on the very steep slope to reduce erosion from the lots above?

Also why not preserve some of the oaks just outside the woodland grove as a transition through back yards. Properly trimmed, they would enhance the property value. We know several front yards Oaks were retained by the Monterey Bay Estates developer. The natural drought resistant landscaping planned by the developer for the residential yards would preserve these retained Oaks well. (Watered grass lawns kill such preserved mature oaks).

The standard formula of planting two saplings for one mature Upper canopy trees is not adequate by itself. By definition the saplings are not big enough to qualify as trees. So two for one actually signifies two non-trees for one actual tree. More than just a simplistic two for one is needed for significant mitigation

Marina Tree Committee, Richard Boynton, Chairman

Letter B: Richard Boynton, Marina Tree Committee, 7/29/03

Comment B-1: Trees and their removal or preservation has been a community issue for the last decade. The draft EIR should not have ignored this issue when planning to clear cut 238 of the 248 acres.

RESPONSE B-1: Comment and opinion noted. As indicated in **RESPONSE A-1**, above, in the absence of any requirement to protect specific trees or classes of trees in Marina (except oaks or trees within oak woodlands), there is no basis for preventing property owners from removing trees from their property as long as this is accomplished in accordance with the City's tree preservation ordinance. The removal of non-protected trees is not considered a significant environmental impact.

Comment B-2: The DRAFT EIR in general and the Biological Resources Chapter 6 specifically, is not complete because the applicant withheld his tree survey conducted earlier in the year. Without such a listing of totals, numbers to be removed and preserved, it is impossible to realistically gauge impacts, significant or otherwise. The applicant has indicated the tree survey will be provided soon. Since the draft EIR will not be complete until then, I ask why should the 45 day period for public response not start until this remaining part of the EIR is available for public review?

RESPONSE B-2: Opinion regarding the completeness of the DEIR is noted. As indicated in **RESPONSE A-1**, above, in the absence of any requirement to protect specific trees or classes of trees in Marina (except for oaks or trees within oak woodlands), there is no basis for preventing property owners from removing trees from their property as long as this is accomplished in accordance with the City's tree preservation ordinance, and the removal of non-protected trees is not considered a significant environmental impact. For this reason, the identification of individual trees to be removed or preserved within the Specific Plan area was not needed for the DEIR's evaluation of environmental effects associated with the Specific Plan. While additional information related to the proposed Specific Plan (such as a tree survey) can provide a more complete sense of the factors to be considered in developing the site as proposed, in this case the lack of a tree survey need not render the DEIR incomplete, since the protection of oaks will be required under the Marina General Plan, and since the implementation of the Specific Plan would preserve the only existing oak woodlands identified within the Specific Plan area. There is no requirement, either under CEQA or under current City of Marina policies or regulations, that a tree survey be included in an environmental review document.

As indicated in RESPONSE A-1, above, the Project Applicant is submitting a Tree Removal Application to the City of Marina, according to which 2,806 existing trees are presently located within the Specific Plan area. Of these, 629 are dead or dying. Of the 2,177 remaining viable trees, the Project Applicant proposes to preserve 800 trees in their existing locations, to relocate 641 trees within the Specific Plan area, and to remove 736 trees. The Project Applicant further proposes to replace the 736 removed trees at a ratio of three-to-one, for a total of 2,208 new trees. The 2,208 new trees plus the 1,441 preserved and protected trees would increase the total number of trees within the Specific Plan area to 3,649.

Comment B-3: 1. We see several significant CEQA impacts on the visual quality and aesthetics of the Marina Heights project re: Draft EIR, chapter 8, page 8-13.

Under Significance Criteria, the implementation of the Specific Plan would have a significant impact because of (A) A substantial adverse effect on a scenic vista and (B) Substantial degradation of the existing visual character or quality of the site and its surroundings.

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A. The applicant argues that because, "There are no designated (italics added) scenic vistas..." "Therefore...no impact on a designated scenic vista." The problem with the applicant's logic is that CEQA language has no reference to designated vistas, let alone requiring any such designation as a requirement for a vista to be considered scenic. Therefore absence of "designated" status is irrelevant in determining impact on scenic vistas

1.) The applicant also mentions the visually pleasing and aesthetically beneficial existing 10 acres of oak woodland, a portion of which will be preserved as open space. We agree about the oaks and would add that the oaks are located in the low arroyos and basin of the project. As such there is no view of the preserved oaks except for the homes immediately adjacent and over looking the depressed areas of oaks. Most of the homes will not overlook the oak areas. As such, the preservation of the 10 acres of oaks does not fully mitigate the complete removal of all other trees on the remaining 238 acres. Only one EIR photo, of 15 shown on page 8-7 to 8-15, shows the oak woodland in a low basin. Oaks can not be viewed on any of the other 14 photos.

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B. *On page 6-2, the applicant describes the existing biological resources and states, "Monterey Pine and Monterey cypress were planted throughout the (248 acre) site, probably for visual screening and to create wind breaks, and there is a concentrated planting area in the northeastern portion of the Specific Plan area."*

1.) *Since there is no mention of preservation of any trees besides the 10 acres of green belt oaks. We conclude the applicant intends to remove all other trees throughout the remaining 238 acres. In and of itself, removal of 1000 trees can not avoid impacting the aesthetics and visual character of the site.*

2.) *All 15 photos submitted by the applicant, on pages 8-7 through 8-15-show medium to upper story canopy Monterey Pine and Cypress planted for windbreak and aesthetic effect throughout the site.*

Although the applicant has conducted a survey count of all trees on the 248-acre site earlier in 2003, no such important biological resource data was provided in the draft EIR. As a pure guestimate (assuming at least a handful of trees per acre), there may be $238 \times 5 = 1190$ trees. The applicant has promised to provide the tree count by 20 July. As of this date no tree survey has been available to the public. Therefore, We assume roughly that 1000 trees may be removed.

The applicant correctly observes the dilapidated state of the existing homes on the site. We add the observation that except for the figure 8-15 photo, the trees in all of the other 14 photos hide the blighted appearance of the abandon homes. In fact, except for the close-up figure 8-15 photo, the casual observer can not tell from the photos taken from a distance, whether the homes are brand new chadmar homes or old abandoned Ft.Ord houses.

To easily appreciate how the removal of all 1000 mid to upper canopy cypress & pine trees throughout the remaining 238 acres would result in the “substantial degradation of the existing visual character or quality of the site”; one only has to imagine the absence of all trees in 13 photos (except figure 8.12 oak grove). Bare walls & roof tops whether new or old would drastically alter the visual character of the views; and we believe it would lower the visual quality substantially.

RESPONSE B-3: The DEIR was prepared for the Lead Agency (City of Marina) by Lamphier-Gregory with the assistance of the other members of the consultant team. The DEIR was not prepared by the Project Applicant. Although the City of Marina has not formally identified any scenic vistas, the Marina General Plan includes the following policy language in addressing “Scenic and Cultural Resources” that provides some indication of what might be considered “scenic vistas” in Marina: “3. The visual character and scenic resources of the Marina Planning Area should be protected for the enjoyment of current and future generations. To this end, ocean views from Highway 1 should be maintained to the greatest possible extent; development on the primary ridgeline of the Marina dunes shall be avoided; new development proposed for the Armstrong Ranch shall maintain an adequate setback from Highway 1; landscape screening and restoration shall be provided as appropriate; the scenic views of inland hills from Highway 1, Reservation Road, and Blanco Road should be retained; and architectural review of projects shall continue to be required to ensure that building design and siting, materials, and landscaping are visually compatible with the surrounding area.” Nothing in this General Plan section suggests that the view of the Specific Plan area from any viewpoint represents a “scenic vista”. In the absence of a definition of “scenic vista” that is accepted universally, the DEIR relies on Marina planning policies to identify scenic vistas to determine whether development of the Specific Plan area as proposed would have a substantial adverse effect on a scenic vista or not.

As indicated in **RESPONSE A-1**, above, for the purposes of the DEIR, removal of non-protected trees at the Specific Plan area would not represent a significant environmental impact, and no mitigation would be necessary for the proposed removal of non-protected trees (species other than oaks). Preservation of the oak woodlands has been proposed by the Project Applicant in order to comply with the City policy that provides protection for oak woodlands. The preservation of oak woodlands as proposed under the Specific Plan has not been identified as mitigation for the anticipated loss of other trees in the Specific Plan area. As the oak woodlands at the Specific Plan area have not been identified as a scenic resource by the City of Marina (see General Plan text, above), there is no imperative for development under

the proposed Specific Plan to preserve existing views of the oak woodlands or to create new or improved views of these oak woodlands in the future.

Opinion regarding the extent to which tree canopy height creates a scenic vista is noted. As indicated above, in the absence of a definition of “scenic vista” that is accepted universally, the DEIR relies on Marina planning policies to identify scenic vistas to determine whether development of the Specific Plan area as proposed would have a substantial adverse effect on a scenic vista or not.

As indicated in **RESPONSE A-1**, above, the Project Applicant is submitting a Tree Removal Application to the City of Marina, according to which 2,806 existing trees are presently located within the Specific Plan area. Of these, 629 are dead or dying. Of the 2,177 remaining viable trees, the Project Applicant proposes to preserve 800 trees in their existing locations, to relocate 641 trees within the Specific Plan area, and to remove 736 trees. The Project Applicant further proposes to replace the 736 removed trees at a ratio of three-to-one, for a total of 2,208 new trees. The 2,208 new trees plus the 1,441 preserved and protected trees would increase the total number of trees within the Specific Plan area to 3,649.

Opinion regarding the extent to which new housing would represent a substantial degradation of the visual character of the Specific Plan area is noted. While the visual character of the Specific Plan area would change significantly with development as proposed in the Specific Plan (as indicated on DEIR page 8-15), the housing that would be built would replace housing that is visibly deteriorating, and would not represent any more of a “degradation” of visual character than would be associated with similar new residential development in any location. The loss of existing vegetation that currently shields some deteriorating housing from view would change the visual character of the site (see DEIR page 8-16). However, landscaping has been proposed as part of the Specific Plan. Although landscaping plans for the Specific Plan area have not been finalized, it is expected that as the vegetation that is planted matures over time, it will also provide vegetation that shields or buffers the visual features of the proposed residences. These factors support the DEIR’s assessment that development of the Specific Plan area as proposed would not represent a substantial degradation of the visual character of the site, but could be considered a beneficial impact.

Comment B-4: 2. CUMULATIVE IMPACTS Chapt 11 page 11-15 The highest elevation point of the site is by the water tower, hence the name "Marina Heights". Practically every home on the southwestern half of the development has a view of the blue Pacific with an intervening cushion of green tree top canopy.

Part of the intervening canopy is from the immediately adjacent Cypress Knolls development across California Ave. The last draft EIR for Cypress Knolls stated 106 trees to be removed with none identified for preservation.

Also visible from Marina Heights is the distant tree lines of our third major development "University Village"

Even if the clear cutting of the 238 acres of the Marina Heights project was judged "minor" We submit that similar removals on the other two projects taking place over a period of time do compound or increase other environmental impacts and therefore are collectively significant!

RESPONSE B-4: As indicated in **RESPONSE A-1**, above, for the purposes of the DEIR, the removal of non-protected trees does not represent a significant environmental impact. However, the DEIR nowhere indicates that the anticipated loss of trees within the Specific Plan area is somehow "minor" in any sense. Even though the anticipated tree removal doesn't meet the criteria as a "significant environmental impact" for the purposes of environmental review, this does not mean that such a loss would necessarily be considered "minor" in other contexts beyond review under the California Environmental Quality Act. If other development within Marina (but beyond the Specific Plan area) is held to the same General Plan policy requirement to preserve oak woodlands or replace individual oak trees that would be lost as a result of development, then the loss of non-protected trees at other development sites in Marina would not represent a significant environmental impact either. If the loss of non-protected trees is not a significant environmental impact, then the loss of these trees City-wide or regionally would not represent a cumulative environmental impact.

Comment B-5: 3 MITIGATIONS The developer says that grading and building improvements are the reason for clear-cutting all 238 acres outside the greenbelt. Although, it is easier, more profitable, and efficient to clear cut, I do not see why the outside perimeters of the development along the Ft. Ord fence line and Carmel. California, Imjin Road ways require such drastic grading that trees along those edges could not be preserved. The interior

perimeters of the Greenbelt, Oak Woodland, Parks and School sites should also allow some judicious preservation.

For instance the steep slope along the East Side of the arroyo greenbelt has several upper canopy trees. They are just outside the 150-foot width of the greenbelt, but are obviously not in the way of residential grading. Why not preserve them and also keep the natural cover on the very steep slope to reduce erosion from the lots above?

Also why not preserve some of the oaks just outside the woodland grove as a transition through back yards. Properly trimmed, they would enhance the property value. We know several front yards Oaks were retained by the Monterey Bay Estates developer. The natural drought resistant landscaping planned by the developer for the residential yards would preserve these retained Oaks well. (Watered grass lawns kill such preserved mature oaks).

The standard formula of planting two saplings for one mature Upper canopy trees is not adequate by itself. By definition the saplings are not big enough to qualify as trees. So two for one actually signifies two non-trees for one actual tree. More than just a simplistic two for one is needed for significant mitigation.

RESPONSE B-5: Opinion regarding the possibility of preserving additional trees along the perimeter of the area proposed for development and near the oak woodlands and greenbelt areas is noted. As indicated in **RESPONSE A-1**, above, since the protection of oak woodlands and individual oak trees is addressed in a General Plan policy, the development of the Specific Plan area would be required to comply with those provisions related to the preservation of oak woodlands and the replacement of individual oak trees that would be removed as a result of development.

Opinion regarding the validity and effectiveness of replacing mature trees with two saplings is noted. The text of the General Plan policy indicates a minimum replacement ratio of one-to-one will be required for oak trees that are removed from the Specific Plan area to enable development as proposed. There are no replacement ratios established for the removal of other varieties of trees at the Specific Plan area, and there is no “standard formula” in Marina established to guide tree replacement. A sapling is generally defined as a young tree, so technically “qualifies” as a tree, even though not as large as more mature specimens. Given proper care, young trees planted as replacements for mature trees can generally be expected to grow to maturity over time, even though in some species it may take many years for young trees to reach the size, shape and appearance of mature trees.

SIERRA CLUB



VENTANA CHAPTER

P.O. Box 5667 Carmel, California 93921 408 • 624 • 8032

LETTER C

July 30, 2003

By fax

Haywood Norton, Senior Planner
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

RE: Marina Heights Specific Plan Draft EIR

The Sierra Club Ventana Chapter has reviewed the Marina Heights DEIR. We have the following comments:

We have taken a position to support affordable housing at the former Fort Ord. Therefore, we have questions related to density at the Marina Heights proposed project. These issues are important both for the environment and the community.

C-1

The Project will replace 828 former military housing units with 1,050 new residential units, 80% of which will be market rate. 85 Estate houses will be located on ¼ to ½ acre lots. The DEIR states that the entire project has a gross density of 5.2 units per acre. What is the density per acre of the remaining 965 units when the Estate lots are subtracted out?

C-2

The DEIR states that 102 Affordable Townhomes will be dispersed throughout the development (1-4). However, the Chadmar Conceptual Land Plan shows Townhomes clustered together in only two locations – at the entry and in the southeast. Please clarify.

C-3

Will Small and Standard Single Family Homes be dispersed among the Estate Homes?

C-4

Will the townhomes be side-by-side attached units, not condos – apartment style?

C-5

The "E" or Estate lots on Sheet 8 from WWD Corporation show most to be at 10,400 sf, a bit less than ¼ acre. How many lots at ½ acre and what is their location?

C-6

Please comment on the price range of the 1,450 square foot "Affordable Cottage" compared to the 1,400 square foot "Market Rate Cottage" (both on 2,625 square foot lots). Since they are comparable in sf and lot size, why will one be affordable and the other market rate?

C-7

The adjacent 28-acre landfill site proposed for a park and school site is under the ownership of the City of Marina. Generally the developer provides a school site for a subdivision of this size (e.g., Mountain Valley proposal for 850 homes in Salinas included a school site.). Other than paying the appropriate school fees for each unit (currently \$2.14 sf), what will be the developer's contribution to a school site?

C-8



LETTER C (continued)

What schools will Marina Heights children attend? Currently, Seaside Highlands students will be bussed to Monterey.

C-9

Please identify the number and location of the schools mentioned on p.10-9. Identify the "few" schools closed by the MPUSD. Please identify which "previously closed school sites may have to be re-opened"? Are any of these schools within walking distance of Marina Heights? What is the capacity of nearby Marina schools to accommodate Marina Heights students?

C-10

Please identify the "3,000 to 4,000 housing units planned or under construction" within the Monterey Peninsula's Unified School District's jurisdiction cited on p. 10-9. (East Garrison - 1400, Seaside Highlands - 380, Seaside Resort housing - 125 = 1,905.) University Village? Others? Please be specific.

C-11

What will "construction activity" (ES-17) within the oak woodland habitat consist of? Special status Monterey Dusky Footed Woodrat sites are identified as probable. Have these been located, especially in the Marina Heights oak woodland? The plan shows trails through the woodland. Is there a protection plan for the woodrat?

C-12

Marina Heights is projected to have 2,930 residents. The Project Applicant will provide "up to" \$1,500,000 to improve an adjacent 18 acre park on land owned by the city. Why is this not a firm number? How does this "in lieu" payment compare to other methods of financing parkland, e.g., land donation? How does the proposed park/recreation area compare in acres to the baseball fields, basketball courts, tot lots of the former Army housing?

C-13

Will the Project provide reclaimed water for irrigation? The nearby Cypress Knolls DEIR provided for reclaimed water. The Fort Ord Reuse Plan (Chapter 8, page 11) calls for the implementation of feasible water conservation measures.

C-14

What is the connection between the landfill across Imjin Road to the 28-acre landfill site adjacent to the proposed Project?

C-15

The DEIR (2-2) states that the 28-acre landfill "has been legally closed, and all waste material has been removed." Clean fill was added. Did the State Department of Toxic Substances Control sign off on this landfill closure related to toxic substances?

C-16

There is a toxic plume from the landfill under the proposed project. A recent court case awarded damages to Oak Knolls residents in Monterey whose property had apparently declined in value because of a discovered toxic plume from the airport under their property. Will deed restrictions indicate the presence of a toxic plume under the Marina Heights homes? In what other ways will potential buyers be made aware of the underlying toxic plume? Please be specific.

C-17

The landfill south of Imjin Road, across from the proposed development, is undergoing cleanup of dangerous landfill gasses. The DEIR states that deed restrictions will notify

C-18

LETTER C (continued)

property owners of the presence of potential dangerous gasses at the nearby landfill. How will individual property owners be notified of changes in the cleanup efforts? Will it be the responsibility of the developer, the City of Marina, the Army? How long will the Army stay involved?

Where will the hazardous demolition debris be transported and deposited?

C-19

Will there be stormwater runoff testing or filtering prior to entering the on-site percolation ponds? Who will maintain these and who will pay for the maintenance?

C-20

There is sufficient wastewater capacity for this proposed project. However, the completed FORA plan buildout wastewater flow is greater than the remaining MRWPCA capacity. It will take years to plan and fund a new facility for future projects. Is there currently discussion among the jurisdictions to provide for such a new facility?

C-21

The City General Plan specifies that block lengths not normally exceed 350 feet. How many and which blocks exceed 350', exceed 450'? Except for alley garages, the plan has a typical subdivision appearance – long straight streets. New Urban plans emphasize curved streets, both for slowing traffic and for visual appearance. Please comment.

C-22

How many units will be accommodated with alleys for rear garages? Does that mean these units will have no back yard space? What will be the side-yard and front-yard setbacks? Except for the planned parks in the development, there is no "creative clustering" to provide open spaces for play and visual relief.

C-23

What are the anticipated build-out numbers (including schools, commercial and public facilities) for Marina on Fort Ord land? How will the water allocation for Marina Heights affect future projects? Identify those projects. Please be specific.

C-24

Attached is the July 28, 2003 letter faxed to Planner Haywood Norton asking for specific cumulative development numbers for cumulative impacts to State Highway 1. Please identify those projects and provide those numbers.

C-25

According to the Option, what is the Project Applicant paying Marina for the 248 acres?

C-26

Attached is the July 28, 2003 letter faxed to Planner Haywood Norton requesting a tree survey. Please provide a tree (count/size/type) survey that shows location so that the data can be analyzed and mitigations determined.

C-27

Since the property has been graded already to accommodate the 828 abandoned structures, why is there no alternative approximating the current configuration? This would save the mature landscape and windbreak trees. Table 2-1 states that the previous grading for army housing would be expected to minimize the need for extensive cutting for this project. It would be expected therefore that important trees could be protected.

C-28

LETTER C (continued)

Is it the intent of the developer to "clear cut" all the trees in the housing areas and scrape clean building pads (as at Seaside Highlands)? (Locals call this "San Diego Grading.") Although the DEIR states that there will be one and two story houses, consumer choices today favor two story homes. The only way to "soften" the visual impact of this is to preserve mature trees. Scenic view impacts must be addressed.

C-29

Proponents in newspaper reports have stated that the proposed project should be approved because of the economic benefit to the City of Marina. Residential housing is generally a drain on city budgets. A proposed Mountain Valley 850 house development in East Salinas determined that that housing development would cost the City of Salinas \$250,000 a year in city services. What will be the cost to the City of Marina for city services to the proposed Marina Heights?

C-30

Figure 6.1 shows significant impacts to 99 acres of Mixed Maritime Chaparral including special-status species. Primarily three development areas will impact the native habitat: Townhouses at the entry, Estate lots along the northeast boundary of the Project, and Market B lots in the southeast section. Please comment on how these significant impacts can be mitigated through redesign rather than implementing the Habitat Conservation Plan and Implementing Agreement.

C-31

Has the entire development site been transferred to the City of Marina from the Army?

C-32

Will this development be turned over to the City of Marina? If not, typically a Homeowners' (HO) organization will maintain the development when it is over 50% constructed and sold. Will the entire property be one HO organization or divided into neighborhoods? State law requires that a capital reserve be set aside from homeowner dues to take care of future capital expenditures as repaving streets, etc. Even though it is state law, HO organizations often do not use professional managers who see to it that such funds are kept separate from regular maintenance funds in homeowner dues. Marina Heights is an extensive development, with parks, trails, sidewalks, as well as streets. The CC&Rs and By-laws should be carefully scrutinized by the City to ensure that the development will be maintained. (For example, will street trees be maintained by the property owner or by the HO organization?) If the property is not maintained, what obligation will Marina have? What will HO dues be? We understand they are \$150 a month at Seaside Highlands.

C-33

Since this is land owned by the City of Marina and not privately owned by the developer, it should be possible to reserve housing for Marina residents and for local workers. (San Jose, for example, has set aside housing reserved exclusively for public school teachers.) Local residents, local policemen, firefighters, teachers, city workers should be given consideration ahead of out-of-county buyers and speculative purchasers who won't be living in the houses. (How many lots have ocean views? "Ocean view" homes will likely be marketed in San Jose and San Francisco as Seaside Highlands homes are.)

C-34

LETTER C (continued)

The City of Marina is the owner of the land and as such is "in the driver's seat." This development opportunity must benefit the city and its residents, first and foremost. If this were Pacific Grove, Carmel or Monterey, mature trees would receive the highest priority. It is just such policies that make those communities desirable and keep property values high. Because of the ocean influences trees grow slowly in Marina. Therefore it is especially important for Marina to protect mature trees, both for windbreaks and for aesthetic reasons.

C-35

Thank you for the opportunity to comment on the Marina Heights Specific Plan.

Gudrun Beck
Gudrun Beck, Conservation Co-Chair
23765 Spectacular Bid Lane
Monterey, CA 93940
Phone & fax 655-8586
clarkbeck@redshift.com

cc: Planning Commission
City Council

GB/GT

Letter C Gudrun Beck, Sierra Club, 7/30/03

Comment C-1: We have taken the position to support affordable housing at the former Fort Ord. Therefore, we have questions related to density at the Marina Heights proposed project. These issues are important both for the environment and the community.

RESPONSE C-1: Position of support for affordable housing at the former Fort Ord is noted.

Comment C-2: The Project will replace 828 former military housing units with 1,050 new residential units, 80% of which will be market rate. 85 Estate houses will be located on ¼ to ½ acre lots. The DEIR states that the entire project has a gross density of 5.2 units per acre. What is the density per acre of the remaining 965 units when the Estate lots are subtracted out?

RESPONSE C-2: The Specific Plan indicates that the 85 Estate Homes proposed would each be built on lots ranging from ¼ to ½ acre. The Project Applicant has indicated that the 85 Estate Homes would be built on 23.66 acres, and that another 6.07 acres would be needed for streets serving the Estate Homes (23.66 acres + 6.07 acres = 29.73 acres that Estate Homes would occupy within the Specific Plan area. If this value is subtracted from the area of developable area within the Specific Plan area (248 acres for the total Specific Plan area – 35.63 acres for parks and open space – 19.17 acres for Main Street and Abrams Drive) = 193.2 acres available for residential development), then the remaining 965 housing units that are not Estate Homes would be built at an average residential density of approximately 5.9 units per acre (965 units/163.47 acres available for residential development [not including 29.73 acres to be developed in Estate Homes] = 5.90 units per acre).

Comment C-3: The DEIR states that 102 Affordable Townhomes will be dispersed throughout the development (1-4). However, the Chadmar Conceptual Land Plan shows Townhomes clustered together in only two locations – at the entry and in the southeast. Please clarify.

RESPONSE C-3: DEIR Figure 1.2 (page 1-5) shows the Marina Heights Specific Plan – Conceptual Site Plan, with “1” indicating the proposed locations of “Affordable-rate Townhomes”. On the following page, the areas of DEIR Figure 1.2 that are identified

as “1” have been shaded to more clearly show these 17 locations, which are dispersed within the Specific Plan area.

Comment C-4: Will Small and Standard Single Family Homes be dispersed among the Estate Homes?

RESPONSE C-4: As shown in DEIR Figure 1.2 (page 1-5), the Estate Homes (“5”) are proposed in uninterrupted rows adjacent to the arroyo/greenbelt area and the oak woodland preserve area. Along the northern side of the arroyo/greenbelt area, Estate Homes are shown as being across the street from Standard Single Family Homes (Market “B” – “4”) that adjoin the boundary of the Specific Plan area. Along the southern side of the arroyo/greenbelt area, Estate Homes are shown as being across the street from Small Single Family Homes (Market “A” – “3”) in some areas and across the street from (or adjacent to) Standard Single Family Homes (Market “B” – “4”) at the southeast corner of the Specific Plan area. Near the oak woodlands preserve, one Estate Home lot is shown adjacent to a Standard Single Family Home lot (Market “B” – “4”), and all Estate Homes are shown across the street from Small Single Family Homes (market “B” – “3”).

Comment C-5: Will the townhomes be side-by-side attached units, not condos – apartment style?

RESPONSE C-5: As indicated on DEIR page 1-4, the proposed townhomes would be one or two stories in height, and each would have a two-car garage. As there are 17 locations identified in DEIR Figure 1.2 for the development of townhomes, there would be an average of 6 townhomes located on each identified site. The Project Applicant has provided materials showing the proposed townhomes in a side-by-side configuration in groups of three, with the units sharing common walls but having separate entrances. (see Marina Heights Specific Plan [May 16, 2003, Plan Sheet 5 – Lot Diagrams and Plan Sheet 6 – Conceptual Imagery]).

Comment C-6: The “E” or Estate lots on Sheet 8 from WWD Corporation show most to be at 10,400 sf, a bit less than ¼ acre. How many lots at ½ acre and what is their location?

[illegible]

RESPONSE C-6: The Project Applicant has indicated that the average lot size for the proposed Estate Homes is approximately 12,125 square feet, or 0.28 acre. The Project Applicant has indicated that possibly four or five of the 85 Estate Homes lots would exceed 1/3 of an acre.

Comment C-7: Please comment on the price range of the 1,450 square foot "Affordable Cottage" compared to the 1,400 square foot "Market Rate Cottage" (both on 2,626 square foot lots). Since they are comparable in sf and lot size, why will one be affordable and the other market rate?

RESPONSE C-7: The Draft EIR evaluates the environmental effects that may be associated with implementation of the Specific Plan. It is beyond the scope of the EIR to address financial aspects of the proposed Specific Plan. The Specific Plan itself only addresses anticipated home prices directly in one instance: where it indicates that each of the 85 "bridge" cottages will be sold at an average market price of \$255,000 (2003 dollars) or less, which will be adjusted for inflation. Although the Specific Plan indicates that 20 percent of the new homes to be built within the Specific Plan area will be affordable, it does not state prices for specific housing types beyond the 85 "bridge" cottages.

Comment C-8: The adjacent 28-acre landfill site proposed for a park and school site is under the ownership of the City of Marina. Generally the developer provides a school site for a subdivision of this size (e.g., Mountain View proposal for 850 homes in Salinas included a school site.). Other than paying the appropriate school fees for each unit (currently \$2.14 sf), what will be the developer's contribution to a school site?

RESPONSE C-8: As indicated in the DEIR, the Project Applicant will be required to pay all development-related school impact fees in force when building permits are issued. The Project Applicant has not identified any portion of the Specific Plan area as a possible future school site. Although the Specific Plan identifies the 28-acre area adjacent to Imjin Road beyond the boundaries of the Specific Plan area as a site for a possible future school and park, this area would not be owned by the Project Applicant, and no school-related contribution of land and/or funding (beyond the required impact fees) have been required of the Project Applicant under the terms of the Option Agreement.

Comment C-9: What schools will Marina Heights children attend? Currently, Seaside Highlands students will be bussed to Monterey.

RESPONSE C-9: The Monterey Peninsula Unified School District (MPUSD) assigns students to specific schools based on student grade levels, classroom availability, student proximity to schools, and other factors. Although classroom assignments for those students who would be living within the Specific Plan area cannot be predicted for individual students, most are likely to attend MPUSD schools in the Marina area in grades K-8. In the absence of new schools, the elementary school nearest the Specific Plan area is Crumpton Elementary School at 460 Carmel Avenue, which serves students in grades K-5. Students in grades 6-8 would generally be expected to attend Los Arboles Middle School in Marina. High school students would be expected to attend either Seaside High School or Central Coast High School. As indicated on DEIR page 10-9, the MPUSD does not currently have an explicit plan regarding how or where it will accommodate new students.

Comment C-10: Please identify the number and location of the schools mentioned on p. 10-9. Identify the “few” schools closed by the MPUSD. Please identify which “previously closed school sites may have to be re-opened”? Are any of these schools within walking distance of Marina Heights? What is the capacity of nearby Marina schools to accommodate Marina Heights students?

RESPONSE C-10: The DEIR addresses Specific Plan-related impacts on local schools on pages 10-9 and 10-10. As indicated on DEIR page 10-9, the Marina Heights development on its own would probably not have a significant impact on the MPUSD, and the MPUSD is currently in the process of determining how it will respond to the anticipated influx of new students within the next few years. No MPUSD schools within walking distance of the Marina Heights area have been closed, although schools that were in operation in the northern portion of Fort Ord while it was an active military base ceased operation with the departure of the Army. Specific information regarding MPUSD plans for individual schools, past school closures, the possibilities of re-opening previously closed schools, and current school capacities can be obtained directly from representatives of the Monterey Peninsula Unified School District.

Comment C-11: Please identify the “3,000 to 4,000 housing units planned or under construction” within the Monterey Peninsula’s Unified School District’s jurisdiction cited on p. 10-9. (East Garrison – 1400, Seaside Highlands – 380, Seaside Resort housing – 125 = 1,905.) University Village? Others? Please be specific.

RESPONSE C-11: The “estimated 3,000 to 4,000 housing units planned or under construction within areas under the District’s jurisdiction” (DEIR page 10-9) was a range provided by Jim Burnis, Chief Business Officer, Monterey Peninsula Unified School District on February 27, 2003, to give those reading the DEIR with a sense of the level of development that could be expected to affect the school district in the next few years. Mr. Burnis did not identify specific development projects (either planned or under construction) within the District during this conversation.

Comment C-12: What will “construction activity” (ES-17) within the oak woodland habitat consist of? Special status Monterey Dusky Footed Woodrat sites are identified as probable. Have these been located, especially in the Marina Heights oak woodland? The plan shows trails through the woodland. Is there a protection plan for the woodrat?

RESPONSE C-12: On DEIR page ES-17, in describing the potential adverse effects of construction activity on active nests of birds-of-prey, the following sentence appears: “Construction activities within or adjacent to the oak woodland habitat could disturb active nests through direct removal (if trees are to be removed) or by causing abandonment by the adults”. Based on DEIR **Figure 1.2**, construction activity within the oak grove preserve area would be expected to be limited to that necessary to build and maintain the trails shown within that area, and active nests in that area would first have to be located, then avoided.

As indicated on DEIR page 6-12, potential habitat for the Monterey dusky-footed woodrat is present in the dense chaparral and oak woodland areas near the Marina Coast Water District facility and in the chaparral in the northern portion of the Specific Plan area, north of 17th Regiment Court. No Monterey dusky-footed woodrats were observed within the Specific Plan area during the fieldwork conducted for the DEIR.

As indicated on page 6-15 of the DEIR, the loss of mixed maritime chaparral habitat and its associated special-status species within the Marina Heights Specific Plan area is a *significant* impact. However, the HMP anticipates development of this parcel and mitigates the loss of this habitat and associated species through the set-aside and

management of large contiguous blocks of maritime chaparral in other areas of former Fort Ord. No mitigation beyond that provided in the HMP is recommended. For this reason, no protection plan has been developed for Monterey dusky-footed woodrats that may occupy portions of the Specific Plan area.

Comment C-13: Marina Heights is projected to have 2,930 residents. The Project Applicant will provide "up to" \$1,500,000 to improve an adjacent 18 acre park on land owned by the city. Why is this not a firm number? How does this "in lieu" payment compare to other methods of financing parkland, e.g., land donation? How does the proposed park/recreation area compare in acres to the baseball fields, basketball courts, tot lots of the former Army housing?

RESPONSE C-13: The DEIR evaluates the environmental effects that may be associated with implementation of the Specific Plan, and it is beyond the scope of the DEIR to address economic or financial aspects of the Specific Plan. As specific improvements to be made on the 18-acre parcel have not been identified, it is not possible to determine the actual cost of such improvements. However, under the terms of the Option Agreement, the Project Applicant would be required to contribute up to \$1,500,000 for improvements on this parcel. Within the Specific Plan area, the Army developed two playground areas, two tot lots and one basketball court, which taken together would not exceed four or five acres.

Comment C-14: Will the Project provide reclaimed water for irrigation? The nearby Cypress Knolls DEIR provided for reclaimed water. The Fort Ord Reuse Plan (Chapter 8, page 11) calls for the implementation of feasible water conservation measures.

RESPONSE C-14: The Marina Heights Specific Plan (May 16, 2003, page 42) states: "Provisions will be made to use recycled water for irrigation, in anticipation that recycled water will become available at the site." The reclaimed water for irrigation would be made available by the regional wastewater treatment facility once the infrastructure to deliver it has been put into place.

Comment C-15: What is the connection between the landfill across Imjin Road to the 28-acre landfill site adjacent to the proposed Project?

RESPONSE C-15: Landfills on both sides of Imjin Road in the vicinity of the Specific Plan area were operated by the U.S. Army while Fort Ord was an active military base. However, the presence of Imjin Road provides physical separation between Area A (located north of Imjin Road, adjacent to the Specific Plan area) and all landfill areas to the south of Imjin Road.(see DEIR **Figure 7.2** on page 7-4), so there is no physical connection linking Area A to other landfill areas. As indicated on DEIR page 7-17, remedial action for Area A was completed in 1998, and no further remedial actions requiring post-closure operation or maintenance of Area A is deemed necessary. The DEIR also indicates on page 7-18 that the Army evaluates the incremental cancer risk to future residents as a result of soil exposure at Area A to be very low (i.e., low enough to recommend no restriction on land use for soil at Area A).

Comment C-16: The DEIR (2-2) states that the 28-acre landfill “has been legally closed, and all waste material has been removed.” Clean fill was added. Did the State Department of Toxic Substances Control sign off on this landfill closure related to toxic substances?

RESPONSE C-16: Details related to documentation of the closure of Area A can be found in “Draft Final Remediation Action Confirmation Report, Area A, Operable Unit 2 Landfills, 2001 (IT Corporation). As indicated on page 7-17 of the DEIR, no further remedial action requiring post-closure operation or maintenance of Area A is deemed necessary, according to the Confirmation Report.

Comment C-17: There is a toxic plume from the landfill under the proposed project. A recent court case awarded damages to Oak Knolls residents in Monterey whose property had apparently declined in value because of a discovered toxic plume from the airport under their property. Will deed restrictions indicate the presence of a toxic plume under the Marina Heights homes? In what other ways will potential buyers be made aware of the underlying toxic plume? Please be specific.

RESPONSE C-17: As indicated on pages 7-27 and 7-28 of the DEIR, development of the Specific Plan area as proposed could result in possible exposure to contaminated groundwater in the vicinity of the Area A landfill, a potentially significant impact. One of the measures identified in the DEIR to reduce this potential impact is “Full compliance with existing deed restrictions providing for the Army’s right to access for groundwater remediation system operation, maintenance, monitoring, and with Monterey County Code requirements which prohibit installation of new unauthorized wells.” A second measure “Permanent markers should be placed to locate

the buried groundwater treatment pipeline.” would provide prospective homebuyers at the Specific Plan area with a visual reminder of earlier groundwater contamination below portions of the site and on-going treatment efforts.

Comment C-18: The landfill south of Imjin Road, across from the proposed development, is undergoing cleanup of dangerous landfill gasses. The DEIR states that deed restrictions will notify property owners of the presence of potential dangerous gasses at the nearby landfill. How will individual property owners be notified of changes in the cleanup efforts? Will it be the responsibility of the developer, the City of Marina, the Army? How long will the Army stay involved?

RESPONSE C-18: As indicated on page 7-29 of the DEIR, the U.S. Army has responsibility for the on-going mitigation of landfill gases under the terms of the Federal Facilities Agreement for the former Fort Ord, and Army involvement would continue until landfill gases no longer pose a threat to health and remediation efforts have been successfully completed to the satisfaction of responsible agencies. Notification of nearby residents and other interested parties regarding progress or changes in remediation efforts would be provided by the U.S. Army, as required under the appropriate cleanup plans and implementation agreements related to the landfill.

Comment C-19: Where will the hazardous demolition debris be transported and deposited?

RESPONSE C-19: The Project Applicant has indicated that the Monterey Regional Waste Management District’s landfill immediately north of the City of Marina will accept hazardous demolition debris to be removed from the Specific Plan area.

Comment C-20: Will there be stormwater runoff testing or filtering prior to entering the on-site perc ponds? Who will maintain these and who will pay for the maintenance?

RESPONSE C-20: As indicated on DEIR page 10-14, prior to development of the Specific Plan area as proposed, the Project Applicant will be required to develop and implement a Storm Water Pollution Prevention Program (SWPPP) as approved by the Regional Water Quality Control Board. The SWPPP will be required to specify Best Management Practices (BMPs) that will be implemented to prevent pollutants from coming into contact with storm water, and these could include filtering, monitoring of stormwater, and the development of storm water retention/detention basins. An

SWPPP has not yet been developed for the Specific Plan area, but the Project Applicant would be responsible for implementing all BMPs identified in the SWPPP. Once the Specific Plan area has been developed as proposed, the responsibility for maintaining the stormwater pollution control infrastructure would rest with the homeowners' association.

Comment C-21: There is sufficient wastewater capacity for this proposed project. However, the completed FORA plan buildout wastewater flow is greater than the remaining MRWPCA capacity. It will take years to plan and fund a new facility for future projects. Is there currently discussion among the jurisdictions to provide for such a facility?

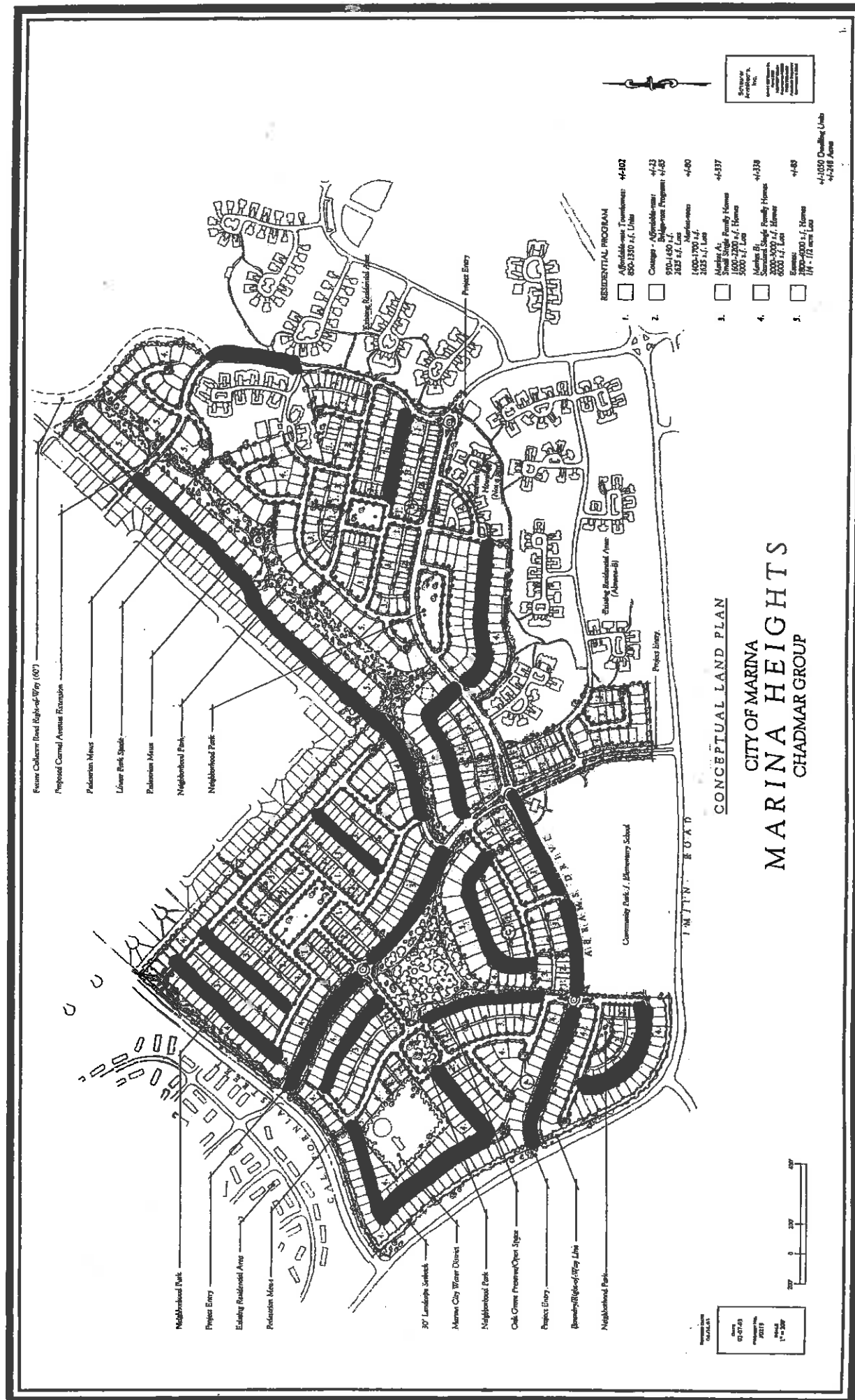
RESPONSE C-21: No.

Comment C-22: The City General Plan specifies that block lengths not normally exceed 350 feet. How many and which blocks exceed 350', exceed 450'? Except for alley garages, the plan has a typical subdivision appearance – long straight streets. New Urban plans emphasize curved streets, both for slowing traffic and for visual appearance. Please comment.

RESPONSE C-22: The figure on the following page (FEIR Figure 1) highlights the street segments within the Specific Plan area that would extend for 350 feet or more before intersecting with another street. The shortest segments shown are slightly over 350 feet long, while some of the longer segments exceed 450 feet in length. A number of the street segments shown in this figure are curved, as are many of the shorter street segments not highlighted. Not all current community planning concepts emphasize curved streets, although there may be some benefits to be attained through their use, as indicated in this comment. A number of “new urban” or “neo-traditional” community planning concepts rely on a rectilinear “grid” street pattern similar to those frequently found in many urban areas in North America that were developed before the 1950s. Such patterns tend to enhance connectivity and walkability within the community.

Comment C-23: How many units will be accommodated with alleys for rear garages? Does that mean these units will have no back yard space? What will be the side-yard and front-yard setbacks? Except for the planned parks in the development, there is no “creative clustering” to provide open spaces for play and visual relief.

FEIR Figure 1: Marina Heights Conceptual Land Plan Showing Blocks 350 Feet or More in Length



RESPONSE C-23: As indicated in the Marina Heights Specific Plan (May 16, 2003, page 14): “There are no standard setback requirements in this (MHVH) district. Use of standard zoning methods generally employed throughout the City of Marina do not give adequate means by which the City can accomplish the results desired in this district. Setbacks shall be proposed and approved on the Marina Heights Specific Plan in order to protect and preserve property values of the site and adjacent properties, ensure compatibility of different uses, avoid nuisances, and advance the general welfare within the District. In addition, siting of structures shall be based on the following factors: privacy, light and air, sun exposure, building configuration and aesthetics.” DEIR Figure 1.2 (page 1-5) indicates that a total of 528 of the proposed lots would be adjacent to an alley. In the Marina Heights Specific Plan (May 16, 2003, Plan Sheet 5 – Lot Diagrams), the affordable-rate townhomes, the cottages and the Market “A” homes would have garages on alleys. This diagram also provides an indication of the size of yards anticipated within lots for the different types of buildings proposed. Comment related to the absence of “creative clustering” (except for planned parks) is noted.

Comment C-24: What are the anticipated buildout numbers (including schools, commercial and public facilities) for Marina on Fort Ord land? How will the water allocation for Marina Heights affect future projects? Identify those projects. Please be specific.

RESPONSE C-24: DEIR Table 3-5 (page 3-40) provides a listing (#15 - #26) of the type of development anticipated within the Marina portion of the former Fort Ord that was used for the cumulative traffic analysis (Year 2020). As indicated on DEIR page 10-11, implementation of the Specific Plan as proposed would create a water supply demand within the Marina Heights Specific Plan area in excess of that anticipated for that area under the Marina General Plan. If adequate water to meet the demands of the Marina Heights development is provided from the existing water supply allocation, then this could preclude future development in other portions of the former Fort Ord that has also been anticipated under the Marina General Plan, since a reduced supply of water would be left to support such development under the existing allocation that would otherwise receive a larger portion of the existing water allocation.

In the Draft Environmental Impact Report on the Draft Marina General Plan, Table 10.5 (page 10-25) lists the estimated 2020 water demand for the development categories within the Marina’s Fort Ord allocation area:

| <u>Water Demand Category</u> | <u>Water Demand (acre-feet/year)</u> |
|------------------------------|--------------------------------------|
| Fairway Homes | 78.0 |
| Multi-Family | 541.0 |
| Residential Care | 5.0 |
| Motel/Hotel | 187.5 |
| Retail/Service | 205.0 |
| Office/R&D | 126.0 |
| Industrial | 172.0 |
| Park Sites | 178.0 |
| Golf Course | 399.0 |
| Recreation Facilities | 67.5 |
| Educational Facilities | 90.0 |
| School Turf/Playfields | 35.0 |
| Total | 2,084.0 |

On the next page of the Draft EIR on the Draft Marina General Plan, the total available supply of water within Marina's former Fort Ord allocation area is identified as 1,015 acre-feet per year (AFY). If development in the former Fort Ord were to be completed as indicated in Table 10.5, and no additional water was to become available within that allocation area, there would be a deficit of 1,069 AFY with no recycled water available in 2020, and a deficit of 457 AFY if recycled water were to become available in the former Fort Ord allocation area.

Comment C-25: Attached is the July 28, 2003 letter faxed to Planner Haywood Norton asking for specific cumulative development numbers for cumulative impacts to State Highway 1. Please identify those projects and provide those numbers.

RESPONSE C-25: See RESPONSE A-2, above.

Comment C-26: According to the Option, what is the Project Applicant paying Marina for the 248 acres?

RESPONSE C-26: The Draft EIR evaluates the anticipated environmental impacts that may be associated with implementation of the Specific Plan, and it is beyond the scope of the EIR to address financial or economic issues. The Option Agreement

(Section 6.2) states: “The purchase price for the Project Site to be paid by Developer shall be that sum of Ten Million Six Hundred Twenty Thousand Dollars (\$10,620,000) (the “Purchase Price”).” This would be exclusive of FORA and City of Marina impact fees of more than \$45,000 per residential unit.

Comment C-27: Attached is the July 28, 2003 letter faxed to Planner Haywood Norton requesting a tree survey. Please provide a tree (count/size/type) survey that shows location so that the data can be analyzed and mitigations determined.

RESPONSE C-27: See RESPONSE A-1, above.

Comment C-28: Since the property has been graded already to accommodate the 828 abandoned structures, why is there no alternative approximating the current configuration? This would save the mature landscape and windbreak trees. Table 2-1 states that the previous grading for army housing would be expected to minimize the need for extensive cutting for this project. It would be expected therefore that important trees could be protected.

RESPONSE C-28: The “No Project” alternative would retain the existing grading pattern within the Specific Plan area, but would not result in the development of any new housing units. See RESPONSE A-1, above regarding tree removal to enable development within the Specific Plan area. Aside from oak woodlands and individual oak trees that are provided with some level of protection under the Marina General Plan, the City has identified no specific trees within the Specific Plan area as “important”, and as long as the provisions of the City’s tree preservation ordinance are adequately met, preservation of non-oak trees on private property is not required.

Comment C-29: Is it the intent of the developer to “clear cut” all the trees in the housing areas and scrape clean building pads (as at Seaside Highlands)? (Locals call this “San Diego Grading.”) Although the DEIR states that there will be one and two story houses, consumer choices today favor two story homes. The only way to “soften” the visual impact of this is to preserve mature trees. Scenic view impacts must be addressed.

RESPONSE C-29: Opinion regarding the marketability of one-story homes noted. Opinion regarding the retention of existing mature trees within the Specific Plan area to “soften” visual impacts associated with residential development is noted.

Comment C-30: Proponents in newspaper reports have stated that the proposed project should be approved because of the economic benefit to the City of Marina. Residential housing is generally a drain on city budgets. A proposed Mountain Valley 850 house development in East Salinas determined that the housing development would cost the City of Salinas \$250,000 a year in city services. What will be the cost to the City of Marina for city services to the proposed Marina Heights?

RESPONSE C-30: The Draft EIR evaluates the anticipated environmental impacts that may be associated with implementation of the Specific Plan, and it is beyond the scope of the EIR to address financial or economic issues.

Comment C-31: Figure 6.1 shows significant impacts to 99 acres of Mixed Maritime Chaparral including special-status species. Primarily three development areas will impact the native habitat: Townhouses at the entry, Estate lots along the northeast boundary of the Project, and Market B lots in the southeast section. Please comment on how these significant impacts can be mitigated through redesign rather than implementing the Habitat Conservation Plan and Implementing Agreement.

RESPONSE C-31: As indicated in the DEIR discussion of the “No Project” alternative, if there is no construction within the Specific Plan area, there would be no adverse development-related effects on habitat areas that have been identified there. Any major redesign of the proposed development pattern within the Specific Plan area to preclude construction in identified habitat areas would also reduce potential impacts to these habitat areas. However, the Habitat Management Plan for the former Fort Ord was developed specifically for the purpose of mitigating adverse habitat impacts in areas where development has been anticipated under the FORA Base Reuse Plan.

Comment C-32: Has the entire development site been transferred to the City of Marina from the Army?

RESPONSE C-32: Yes, all 248 acres of the proposed Specific Plan area have been transferred from the U.S. Army to the City of Marina.

Comment C-33: Will this development be turned over to the City of Marina? If not, typically a Homeowners' (HO) organization will maintain the development when it is over 50% constructed and sold. Will the entire property be one HO organization or divided into

neighborhoods? State law requires that a capital reserve be set aside from homeowner dues to take care of future capital expenditures as repaving streets, etc. Even though it is a state law, HO organizations often do not use professional managers who see to it that such funds are kept separate from regular maintenance funds in homeowner dues. Marina Heights is an extensive development, with parks, trails, sidewalks, as well as streets. The CC&Rs and By-laws should be carefully scrutinized by the City to ensure that the development will be maintained. (For example, will street trees be maintained by the property owner or by the HO organization?) If the property is not maintained, what obligation will Marina have? What will HO dues be? We understand they are \$150 a month at Seaside Highlands.

RESPONSE C-33: Development within the Specific Plan area would take place on private property, and no portion of the 248-acre site would be “turned over” to the City of Marina (although the City would maintain easements for public streets and other municipal infrastructure). The Specific Plan indicates that a homeowner’s association or landscape maintenance district would be formed to take responsibility for maintenance of common areas and privately-owned infrastructure within the Specific Plan area. Recommendation to carefully scrutinize such an association is noted. The City of Marina is ultimately responsible for the health, safety and public welfare of its citizens and visitors within the city limits. Were the homeowner’s association or landscape maintenance district at Marina Heights to default on their legal responsibilities, the City would have every right to act as necessary to maintain public health, safety and welfare within the Specific Plan area, and could take legal action to recover from the homeowners any costs associated with such action. The homeowner’s association or landscape maintenance district for Marina Heights has not yet been formed, and the level of monthly dues have not been set.

Comment C-34: Since this is land owned by the City of Marina and not privately owned by the developer, it should be possible to reserve housing for Marina residents and for local workers. (San Jose, for example, has set aside housing reserved exclusively for public school teachers.) Local residents, local policemen, firefighters, teachers, city workers should be given consideration ahead of out-of-county buyers and speculative purchasers who won’t be living in the houses. (How many lots have ocean views? “Ocean view” homes will likely be marketed in San Jose and San Francisco as Seaside Highlands homes are.)

RESPONSE C-34: Opinions related to future marketing efforts and the residency/employment characteristics of future homebuyers are noted. Although the portion of the former Fort Ord that would become the Specific Plan area is currently owned by the City of Marina, under the terms of the Option Agreement, ownership

of this area would be transferred from the City to the Project Applicant. Once that transfer of ownership has been completed, the City of Marina will have no legal basis for requiring the property owner to set aside available housing units for future buyers that meet specific employment or residency requirements. The Project Applicant has not determined the number or location of lots where homes might provide an ocean view.

Comment C-35: The City of Marina is the owner of the land and as such is “in the driver’s seat.” This development opportunity must benefit the city and its residents, first and foremost. If this were Pacific Grove, Carmel or Monterey, mature trees would receive the highest priority. It is just such policies that make those communities desirable and keep property values high. Because of the ocean influences trees grow slowly in Marina. Therefore it is especially important for Marina to protect mature trees, both for windbreaks and for aesthetic reasons.

RESPONSE C-35: Opinions regarding who must benefit from development of the Specific Plan area, the superiority of planning priorities in other communities, and the importance of protecting mature trees in Marina are noted.



MONTEREY BAY

Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93941 • 831/647-9411 • FAX 831/647-8501

CITY OF MARINA

JUL 31 2003

PLANNING

July 30, 2003

LETTER D

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Haywood Norton
City of Marina Planning Department
211 Hillcrest Avenue
Marina, CA 93933

SUBJECT: DEIR FOR MARINA HEIGHTS SPECIFIC PLAN

Dear Mr. Norton:

Staff has reviewed the referenced document for a 1,050 residential project and has the following comments:

1. Page 3-6. Since an adequate assessment of traffic impacts could affect CO modeling results, we provide the following comments on the traffic impact section: **D-1**

- a. Empirical traffic counts of existing traffic at intersections were taken while California Ave and 12th St. were both closed for construction, and Hwy. 1 traffic counts were taken in April 2003, before Imjin Parkway and probably also California Ave. Extension were opened.

However, these Existing conditions are not the initial counts for the DEIR assessment of traffic impacts. Rather, a hypothetical Baseline condition is created, "... that reflects existing conditions (year 2003) with the opening of 12th St. ... from Highway 1 to Imjin Rd. and the opening of California Extension between 12th St. and Reindollar Avenue." The DEIR traffic study defines this condition as the basis for all subsequent traffic assessment.

Since the Baseline traffic conditions are estimates and not empirical data, it is important that they be accurate. Page 3-6 of the DEIR notes that a regional traffic model was used to "develop" those Baseline traffic conditions. Traffic forecast models are often used to predict future conditions and growth rates, not to "develop" *existing* conditions. Such use is rare due to the potential inaccuracy of this procedure. Specifically, the DEIR states which traffic forecasting model was used (incorrectly referred to as a *County-wide* model). That particular model is actually a *three-country* regional traffic forecast model, designed to produce regional assessments of daily traffic flow. It has never been and cannot be validated for accurate assignment of hourly turning movements to intersections.

- b. Page 3-7. The apparent contradiction in the report should be clarified. On page 3-7, the DEIR states that "In this study, [the justification for the installation of a traffic signal] assessment was made on the basis of the peak hour volume signal warrant only. (Warrant #11)." However, on Page 3-17, the DEIR states: "The existing peak hour volumes at Reservation Rd. / SB Hwy. 1 ramp intersections do not meet the Caltrans peak hour volume traffic signal warrant . . ." but, later on the same page, the report states: "To improve the Hwy. 1 SB ramps/ Reservation Rd. intersection operations signalization is required." D-2
- c. Figures 3.5 & 3.1. These two figures report PM peak hour traffic volumes at intersections in the study area. Figure 3.5 is for counts of existing traffic and 3.15 is for estimated Baseline traffic. The main difference between the two scenarios is that in the Existing condition, Imjin Parkway is closed between Reservation Rd. and Hwy. 1, and open in the Baseline condition. Traffic volumes entering and leaving the study area on Reservation Rd. east of the study area would be expected to increase due to the opening of Imjin Parkway. However, they are identical in both conditions. No increase in PM peak hour traffic to/from Salinas as a result of opening Imjin Parkway to Highway 1 does not seem likely. Please explain. D-3
- d. Figures 3.5 & 3.15. Traffic volumes reported in 3.15 are 464 vehicles per hour higher than in 3.5 on roadways connecting to Hwy. 1, but no growth is shown for traffic entering and leaving the study area on Reservation Rd. east of the study area. The reason that traffic would increase only on the western side of the study area as a result of opening California Avenue and Imjin Parkway should be explained. D-4
- e. Page 3-53, Third paragraph. "If so, then these features . . . might be expected to reduce the projected total number of vehicle trips generated . . ." The following should be address: if the 105-210 daily vehicle trip reduction were applied to project trip generation, and if so, by what amount. D-5
- f. Page 3-53, Fourth paragraph. Geographic distribution percentages using the AMBAG or its derived, validated regional traffic forecast models, should be reported. The reason(s) why available regional traffic forecast models were not used to establish a project trip geographic distribution for this traffic study, when these models are available and this purpose is one for which they are most appropriate and suitable, should be explained.. D-6
- g. Page 3-53, Fifth paragraph. "Trips generated within the Specific Plan area were added to the baseline traffic volumes . . ." As the Baseline + Project and all subsequent Conditions are derived by addition to these Baseline volumes, the latter conditions are affected by any underestimate in the Baseline. Thus, the comments on Figure 3.5 & 3.15 Baseline traffic volumes also apply to subsequent Conditions assessed in the DEIR. D-7
- h. Page 3-51. The DEIR state, "Implementation of the Specific Plan would have a significant environmental impact if it were to result in . . . a conflict with adopted policies, plans or programs supporting alternative transportation." The proposed project D-8

would have gross residential density of 5.4 units per Acre (DEIR, p. 2-25) and no local shops within the project. Thus, the project directly conflicts with adopted policies, plans or programs supporting alternative transportation as adopted in the current Marina General Plan. These policies, as stated in Section 3.32, are needed to "...promote the long term feasibility of cost-effective public transit" (DEIR, p. 2-25). Thus, section 2.33 of the Marina General Plan states that the Village Homes designation for Marina Heights shall "consist of a mix of single-family detached houses, townhouses and multi-family housing...Townhouse development shall be encouraged to provide for housing needs young adults and seniors. Village homes are to be organized into a village type of setting capable of supporting both local and regional transit, with residents within walking distance of local shops, schools, park and recreation facilities. The overall gross density of a village homes designated area (currently Marina Heights) shall not ...be less than 7.5 units per gross acre." Why the project's proposed density and lack of local retail use are not identified as significant environmental impacts should be explained.

2. Page 4-2. The following statement should be clarified: "Volatile organic compounds (VOC), such as the criteria pollutants nitrogen dioxide (NO₂) and sulfur dioxide (SO₂) are classified as ozone precursors..." The two pollutants considered as ozone precursors are VOC and NO_x. D-9

3. Page 4-4. Since ozone is a regional pollutant, i.e., ozone precursor emissions generated in one location can have impacts on downwind areas, data on violations of that standard should be summarized for the entire District. D-10

4. Page 4-16. The DEIR states that up to 1,900 lbs of PM₁₀ per day could be expected from excavation and earthmoving and up to 500 lbs of PM₁₀ could be expected from grading. These values far exceed the District's threshold of significance of 82 lbs per day. The DEIR recommends several mitigation measures and concludes that the impacts would be reduced to less than significant. The DEIR, however, does not include quantification of their effectiveness. This information should be provided in the FEIR. D-11

- VOC and NO_x emissions from construction equipment that is typical, i.e., dump trucks, scrapers, bulldozers, compactors and front-end loaders, are accommodated in the AQMP. If the project would use other types of construction equipment, their emissions should be quantified and compared to the District's threshold of significance for VOC and NO_x, i.e., 137 lbs/day. D-12

5. Page 4-17. The DEIR includes a provision to defer impact analysis of diesel exhaust emissions until the applicant can identify the type of construction equipment to be used. This deferral assumes that the impact of diesel emissions can be mitigated. If such mitigation is infeasible, additional environmental review will be needed. D-13

6. Page 4-18. While the DEIR notes that the project may bring people into hazardous areas, it does not identify the level of toxic air contaminants residents might be exposed to or the effectiveness of proposed mitigation measure 4.4. A risk assessment should be prepared. Ambient air monitoring data for toxic substances have been collected which may be useful in preparing a risk assessment for the project. Ms. Gail Youngblood, Department of Environmental and Natural Resources, Fort Ord, 883-5821, is the contact person. D-14

7. Page 4-19. The DEIR states that the CO values obtained through using the screening model in a certain way would be expected to exceed anticipated values for the year 2020. This statement conflicts with the data on p. 4-20. D-15
8. Page 4-21. The project would generate NOx and VOC emissions in excess the District's thresholds of significance. The DEIR identifies mitigation measures; however, because these measures do not reduce impacts to less than significant, they are not recommended for implementation. D-16
9. CEQA requires that all feasible mitigation measures be implemented regardless of whether or not they reduce the impacts to less than significant. The FEIR should recommend the measures as described and as required by CEQA, also provide reasons why the "General Plan" alternative (which would have lower emissions) was rejected over the proposed project. D-17

Thank you for the opportunity to review the document. Please do not hesitate to call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet Brennan". The signature is fluid and cursive, with a large loop at the beginning.

Janet Brennan
Supervising Planner
Planning and Air Monitoring Division

c: Nicolas Papadakis, AMBAG

Letter D: Janet Brennan, Monterey Bay Unified Air Pollution Control District, 7/30/03

Comment D-1: 1. Page 3-6. Since an adequate assessment of traffic impacts could affect CO modeling results, we provide the following comments on the traffic impact section:

- a. Empirical traffic counts of existing traffic at intersections were taken while California Ave and 12th St. were both closed for construction, and Hwy. 1 traffic counts were taken in April 2003, before Imjin Parkway and probably also California Ave. Extension were opened.*

However, these Existing conditions are not the initial counts for the DEIR assessment of traffic impacts. Rather, a hypothetical Baseline condition is created, "... that reflects existing conditions (year 2003) with the opening of 12th St. ... from Highway 1 to Imjin Rd. and the opening of California Extension between 12th St. and Reindollatr Avenue." The DEIR traffic study defines this condition as the basis for all subsequent traffic assessment.

Since the Baseline traffic conditions are estimates and not empirical data, it is important that they be accurate. Page 3-6 of the DEIR notes that a regional traffic model was used to "develop" those Baseline traffic conditions. Traffic forecast models are often used to predict future conditions and growth rates, not to "develop" existing conditions. Such use is rare due to the potential inaccuracy of this procedure. Specifically, the DEIR states which traffic forecasting model was used (incorrectly referred to as a County-wide model). That particular model is actually a three-country regional traffic forecast model, designed to produce regional assessments of daily traffic flow. It has never been and cannot be validated for accurate assignment of hourly turning movements to intersections.

RESPONSE D-1: The procedures used in the DEIR traffic study provide reasonable estimates of existing traffic volumes with Imjin Parkway and the California Avenue extension completed. Results from the regional traffic forecasting model were not the only data source used to derive estimates of the existing 12th Street intersection volumes. The baseline volumes are based on existing and historical traffic volumes in the Imjin Road and 12th Street corridors. As indicated in the DEIR, at the time the traffic study for the DEIR was initiated, the segment of 12th Street between Imjin Road and Highway 1 was not completely open. Therefore, it was not possible to collect existing traffic volumes on 12th Street to document existing conditions. Existing 12th Street traffic volumes documented in previously prepared traffic studies, including the

Cypress Knolls project, new traffic volume data collected for this study at the Highway 1/12th Street interchange and the Imjin Road/Abrams Drive intersection as well as base year traffic forecasts from the regional model were used to estimate existing traffic volume on the 12th Street (Imjin Parkway) corridor between Highway 1 and Imjin Road. The new counts collected at the Highway 1/12th Street interchange and Imjin Road/Abrams Drive intersection were used as external control volumes for the subject corridor. The model results and the previously collected volumes were used to estimate existing intersection turning volumes at the individual 12th Street intersections.

Results from the regional traffic forecasting model were also used to estimate the diversion of traffic during the AM and PM peak hours from the Reservation/Del Monte corridors between Blanco Road and the Highway 1/12th Street interchange. The percentage diversion was estimated based on the results of base year daily volume forecasts from the model with and without 12th Street upgraded to a four-lane arterial design.

Comment D-2: b. Page 3-7. The apparent contradiction in the report should be clarified. On page 3-7, the DEIR states that "In this study, [the justification for the installation of a traffic signal] assessment was made on the basis of the peak hour volume signal warrant only. (Warrant #11)." However, on page 3-17, the DEIR states: "The existing peak hour volumes at Reservation Rd./SB Hwy. 1 ramp intersections do not meet the Caltrans peak hour volume traffic signal warrant ..." but, later on the same page, the report states: "To improve the Hwy. 1/SB ramps/Reservation Rd. intersection operations signalization is required."

RESPONSE D-2: Comment noted. On DEIR page 3-7, the text of the fourth paragraph has been modified to read as follows:

In this study, ~~this assessment was made on the basis of the only signal warrant evaluated was the~~ Peak-Hour Volume Signal Warrant ~~only (Warrant #11, described in the Caltrans Traffic Manual).~~ This method provided an indication of whether peak-hour traffic volumes are, or would be, sufficient to justify the further investigation into the installation of a traffic signal.

Meeting the peak hour volume warrant criteria was not the only reason for recommending intersection signalization. On DEIR page 3-7, the report states that:

"The justification for the installation of a traffic signal at an unsignalized intersection is based on the eleven traffic signal warrants stated in the Caltrans Traffic manual. However, the decision to install a traffic signal should not be

based purely on the warrants alone. Engineering judgment should be exercised on a case-by-case basis to evaluate the effect a traffic signal would have on certain types of accidents and traffic conditions at the subject intersection as well as at adjacent intersections.”

This statement explains that the decision on installing a traffic signal should be based on many factors, in addition to the warrants. For this study, intersection operating conditions were also considered.

Comment D-3: c. Figures 3.5 & 3.1. These two figures report PM peak hour traffic volumes at intersections in the study area. Figure 3.5 is for counts of existing traffic and 3.15 is for estimated Baseline traffic. The main difference between the two scenarios is that in the Existing condition, Imjin Parkway is closed between Reservation Rd. and Hwy. 1, and open in the Baseline condition. Traffic volumes entering and leaving the study area on Reservation Rd. east of the study area would be expected to increase due to the opening of Imjin Parkway. However, they are identical in both conditions. No increase in PM peak hour traffic to/from Salinas as a result of opening Imjin Parkway to Highway 1 does not seem likely. Please explain.

RESPONSE D-3: The traffic study assumes that the opening of Imjin Parkway would divert traffic traveling through the City of Marina from the Reservation Road-Del Monte Boulevard corridor to the Imjin Parkway corridor. This diversion occurs between the Reservation Road/Blanco Road intersection and the Highway 1/12th Street (Imjin Parkway) interchange. It is possible some trips from the corridor between Salinas and the Monterey Peninsula, i.e., Highway 68, will be diverted to the Reservation Road-Imjin Parkway corridor in the longer term. However, such a diversion is not likely in the short-term, which is within the time frame of the Baseline Conditions.

Comment D-4: d. Figures 3.5 and 3.15: Traffic volumes reported in 3.15 are 464 vehicles per hour higher than in 3.5 on roadways connecting to Hwy. 1, but no growth is shown for traffic entering and leaving the study area on Reservation Rd. east of the study area. The reason that traffic would increase only on the western side of the study area as a result of opening California Avenue and Imjin Parkway should be explained.

RESPONSE D-4: See RESPONSE D-3, above.

Comment D-5: e. Page 3-53, Third paragraph. "If so, then these features ... might be expected to reduce the projected total number of vehicle trips generated ...". The following should be address: If the 105-210 daily vehicle trip reduction were applied to project trip generation, and if so, by what amount.

RESPONSE D-5: In order to provide a reasonable worst-case assessment of potential Specific Plan traffic impacts, the estimated trip reduction of 105 to 210 daily trips was not applied to Specific Plan-related trip generation and Specific Plan-related traffic analysis.

Comment D-6: f. Page 3-53, Fourth paragraph. Geographic distribution percentages using the AMBAG or its derived, validated regional traffic forecast models, should be reported. The reason(s) why available regional traffic forecast models were not used to establish a project trip geographic distribution for this traffic study, when these models are available and this purpose us one for which they are most appropriate and suitable, should be explained..

RESPONSE D-6: The Specific Plan trip distribution was based on the projected baseline travel patterns and the Fort Ord Reuse Authority 2015 projections. This is the procedure that was used for the Cypress Knolls traffic study and the traffic study prepared for the Marina General Plan.

Comment D-7: g. Page 3-53, Fifth paragraph. "Trips generated within the Specific Plan area were added to the baseline traffic volumes ..." As the Baseline + Project and all subsequent Conditions are derived by addition to these Baseline volumes, the latter conditions are affected by any underestimate in the Baseline. Thus, the comments on Figure 3.5 & 3.15 Baseline traffic volumes also apply to subsequent Conditions assessed in the DEIR.

RESPONSE D-7: See RESPONSE D-1 and RESPONSE D-3, above.

Comment D-8: h. Page 3-51. The DEIR state, "Implementation of the Specific Plan would have a significant environmental impact if it were to result in ... a conflict with adopted policies, plans or programs supporting alternative transportation." The proposed project would have a gross residential density of 5.4 units per Acre (DEIR, p. 2-25) and no local shops within the project. Thus, the project directly conflicts with adopted policies, plans or programs supporting alternative transportation as adopted in the current Marina General

Plan. These policies, as stated in Section 3.32, are needed to "...promote the long term feasibility of cost-effective public transit" (DEIR, p. 2-25). Thus section 2.33 of the Marina General Plan states that the Village Homes designation for Marina Heights shall "consist of a mix of single-family detached houses, townhouses and multi-family housing...Townhouse development shall be encouraged to provide for the housing needs of young adults and seniors. Village homes are to be organized into a village type of setting capable of supporting both local and regional transit, with residents within walking distance of local shops, schools, park and recreation facilities. The overall gross density of a village homes designated area (currently Marina Heights) shall not...be less than 7.5 units per gross acre." Why the project's proposed density and lack of local retail use are not identified as significant environmental impacts should be explained.

RESPONSE D-8: As indicated on DEIR page 3-66, the overall design of the Specific Plan area would allow for and encourage the use of alternative modes of transportation, as it includes bike lanes, bikeways, and pedestrian links that will connect the Specific Plan area with the neighborhood park, school and residential areas to the southeast, east and north of the site.

Specific Plan consistency with Marina General Plan policies is addressed in DEIR Chapter 2: Land Use and Planning Policy, with non-conforming Specific Plan policies shown in Table 2-2. The discussion on DEIR page 2-25 indicates that the Specific Plan does not conform to General Plan Sections 2.4.4, 2.31.5, 2.33.2 3.3.1, and 3.32, as residential density would be less than indicated in these sections, and below the minimum residential density identified as necessary to promote the long-term feasibility of cost-effective transit. It also indicates that the Project Applicant intends to submit a General Plan Amendment to reduce the density requirements of the Village Hoes designation within the Specific Plan area. The Project Applicant submitted an application for General Plan Amendments on June 29, 2003.

As indicated on DEIR page 2-6, the mere fact that the Specific Plan requires a General Plan Amendment, or might be inconsistent with particular policies in the General Plan, does not *per se* amount to a significant environmental effect. Rather, inconsistency with current City policies embodying environmental protection commitments is simply an indication that adoption of the Specific Plan might lead to adverse effects on the physical environment. Under CEQA, significant environmental effects must involve an adverse change in physical conditions, as opposed to mere inconsistency with existing policies. Where City staff and consultants have identified areas where the Specific Plan may not conform with the policies of the General Plan,

these inconsistencies could be resolved either through modification of the Specific Plan, or amendment of the current General Plan.

The DEIR indicates on page 2-7 that because General Plans often contain numerous policies emphasizing different legislative goals, a development project may be “consistent” with a General Plan, taken as a whole, even though the project may be inconsistent with certain policies. The DEIR evaluation of Specific Plan consistency with the General Plan is not binding on the City Council, the body that will ultimately determine the extent to which the Specific Plan is consistent with the General Plan.

Comment D-9: 2. Page 4-2. The following statement should be clarified: “Volatile organic compounds (VOC), such as the criteria pollutants nitrogen dioxide (NO₂) and sulfur dioxide (SO₂) are classified as ozone precursors...”. The two pollutants considered as ozone precursors are VOC and NO_x.

RESPONSE D-9: Comment noted. On DEIR page 4-2, the fifth sentence of the first complete paragraph has been modified to read as follows:

Volatile organic compounds (VOC), ~~such as the criteria pollutants nitrogen dioxide (NO₂) and sulfur dioxide (SO₂),~~ and oxides of nitrogen (NO_x) are classified as ozone precursors, which can contribute to the formation of smog.

Comment D-10: 3. Page 4-4. Since ozone is a regional pollutant, i.e., ozone precursor emissions generated in one location can have impacts on downwind areas, data on violations of that standard should be summarized for the entire District.

RESPONSE D-10: Comment noted. The following data from the Ozone Trends Summary: North Central Coast Air Basin (California Air Resources Board, <http://www.arb.ca.gov/adam/cgi-bin/db2www/polltrends.d2w/Branch>) provides information on ozone standard violations within the North Central Coast Air Basin between 2000 and 2002:

| Pollutant | Standard | Days Exceeding Standard in | | |
|-----------|----------------|----------------------------|------|------|
| | | 2000 | 2001 | 2002 |
| Ozone | Federal 1-Hour | 0 | 0 | 0 |
| | Federal 8-Hour | 0 | 2 | 5 |
| | State 1-Hour | 3 | 3 | 8 |

Comment D-11: 4. Page 4-16. The DEIR states that up to 1,900 lbs of PM₁₀ per day could be expected from excavation and earthmoving and up to 500 lbs of PM₁₀ could be expected from grading. These values far exceed the District's threshold of significance of 82 lbs per day. The DEIR recommends several mitigation measures and concludes that the impacts would be reduced to less than significant. The DEIR, however, does not include quantification of their effectiveness. This information should be provided in the FEIR.

RESPONSE D-11: As indicated on DEIR page 4-15, on a day when 50 acres at the Specific Plan area would be subject to excavation and earthmoving, this level of activity could be expected to generate up to 1,900 pounds of PM₁₀ on that day. On days when a smaller area would be subject to excavation and earthmoving, the generation of PM₁₀ would be reduced proportionally. For example, if only 10 acres were going to be subject to excavation and earthmoving on a given day, an estimated 380 pounds of PM₁₀ would be generated on that day.

As the major portion of the Specific Plan area has been previously developed, it is unlikely that site preparation would require extended periods of excavation and earthmoving, and minimal grading would be required more frequently. As indicated on DEIR page 4-16, minimal grading of up to 50 acres per day could be expected to generate up to 500 pounds of PM₁₀ per day of activity. Again, on days when a smaller area would be subject to minimal grading, the generation of PM₁₀ would be reduced proportionally. For example, if only 10 acres were going to be subject to minimal grading on a given day, an estimated 100 pounds of PM₁₀ would be generated on that day.

Accurate quantification of construction-related PM₁₀ emissions is difficult due to uncertainties regarding equipment to be used, specific site preparation activity necessary, and the area to be subject to such activity on any given day. As indicated in the Monterey Bay Unified Air Pollution Control District's CEQA Air Quality Guidelines – Revised September 2002 (page 8-2): "Because construction-related

emissions of PM₁₀ vary based on a number of factors (e.g., activity types, area of activity, silt content), the level of mitigation necessary to reduce impacts below significance will vary. In general, mitigation measures that address larger sources of PM₁₀ during construction (e.g., grading, excavation, entrained dust from unpaved roads) have the greatest potential to substantially reduce fugitive dust.”

In terms of excavation and earthmoving, watering the areas of activity at least twice a day would reduce PM₁₀ from this source by approximately 50 percent (DEIR page 4-16), so on days when areas of 4.3 acres or less were to be disturbed in this manner, such watering could be expected to reduce estimated PM₁₀ emissions to a level below the 82 pounds per day threshold. In terms of minimal grading, on days when areas of 16.4 acres or less were to be disturbed in this manner, such watering could be expected to reduce estimated PM₁₀ emissions to a level below the 82 pounds per day threshold. When areas larger than this are subject to such site-preparation activities, some combination of the other mitigation measures identified in the DEIR would need to be employed in an effort to maintain PM₁₀ emissions below the established threshold. The movement of haul trucks and the use of storage piles would also be expected to generate additional PM₁₀ during construction, although it is not now possible to accurately project the anticipated number of haul truck trips or storage piles that might ultimately be employed. Mitigation measures identified on DEIR pages 4-16 and 4-17 could be applied to each of these PM₁₀ sources, with emissions reductions of up to 90 percent possible.

Comment D-12: VOC and NOx emissions from construction equipment that is typical, i.e., dump trucks, scrapers, bulldozers, compactors and front-end loaders, are accommodated in the AQMP. If the project would use other types of construction equipment, their emissions should be quantified and compared to the District's threshold of significance for VOC and NOx, i.e., 137 lbs/day.

RESPONSE D-12: Comment noted. The Project Applicant has not identified the number and type of atypical construction equipment that might be used at the Specific Plan area during site preparation and construction.

Comment D-13: 5. Page 4-17. The DEIR includes a provision to defer impact analysis of diesel exhaust emissions until the applicant can identify the types of construction equipment to be used. This deferral assumes that the impact of diesel emissions can be mitigated. If such mitigation is infeasible, additional environmental review will be needed.

RESPONSE D-13: Comment noted. To date, measures to reduce diesel emissions through the establishment of pollution control standards for diesel engines have only been implemented at the state and federal level. The Monterey Bay Unified Air Pollution Control District has not established specific threshold criteria for diesel exhaust within the North Central Coast Air Basin. In the absence of such standards, the MBUAPCD will need to determine whether the mitigation measures that it may recommend to be applied to reduce diesel exhaust during construction activity at the Specific Plan area will be sufficient to reduce the anticipated effects of diesel exhaust to a level of less than significant.

Comment D-14: 6. Page 4-18. While the DEIR notes that the project may bring people into hazardous areas, it does not identify the level of toxic air contaminants residents might be exposed to or the effectiveness of proposed mitigation measure 4.4. A risk assessment should be prepared. Ambient air monitoring data for toxic substances have been collected which may be useful in preparing a risk assessment for the project. Ms. Gail Youngblood, Department of Environmental and Natural Resources, Fort Ord, 883-5821, is the contact person.

RESPONSE D-14: Opinion regarding the need for additional risk assessment within the Specific Plan area and vicinity is noted. As indicated on DEIR pages 7-21 through 7-24, air monitoring efforts in the vicinity of the Specific Plan area have focused on the portions of the capped Operable Unit 2 Landfill located south of Imjin Road from the Specific Plan area, which represents a potentially significant hazard due to accumulation of landfill gas (Area A, which is north of Imjin Road and adjacent to the Specific Plan area, has been excavated, and does not generate landfill gases). This monitoring has led to the development of the current gas extraction and treatment system. Monitoring results show methane concentrations from June, 2000 measurements generally exceeded the 5 percent CIWMB standards, but that volatile organic contents were mostly undetectable and sporadic, except for vinyl chloride, detected in 23 of 27 probes. A landfill gas extraction system was put in place along the north side of Area E to reduce landfill gas concentrations in 2001. Based on the five-year superfund review, the treatment system appears to be successful. Air monitoring in September 2002 indicated that concentrations of chemicals at the sampling stations were found to be less than the permissible exposure limit, but eight compounds were found at concentrations exceeding the preliminary treatment goals (PRGs). Cancer risks were found to be slightly higher than the cancer risk of 1×10^{-6} considered acceptable by the EPA and DTSC. The landfill gas extraction and treatment system, which is the responsibility of the U.S. Army, is scheduled to continue operation until

preliminary remediation goals are met and assessed health risks fall below EPA standards.

Comment D-15: 7. Page 4-19. The DEIR states that the CO values obtained using the screening model in a certain way would be expected to exceed anticipated values for the year 2020. This statement conflicts with the data on page 4-20.

RESPONSE D-15: Comment noted. On DEIR page 4-19, the last sentence of the last paragraph has been modified to read as follows:

The values obtained through using the screening model in this way would not be expected to exceed anticipated values for the year 2020, since trends for the MBUAPCD screening model indicate a reduction in projected background carbon monoxide levels in the North Central Coast Air Basin with the passage of time between 2000 and 2010, a trend expected to continue beyond 2010.

Comment D-16: 8. Page 4-21. The project would generate NOx and VOC emissions in excess the District's thresholds of significance. The DEIR identifies mitigation measures; however, because these measures do not reduce impacts to less than significant, they are not recommended for implementation.

RESPONSE D-16: As indicated on DEIR page 4-21 under RECOMMENDED MITIGATION MEASURES, while many feasible mitigation measures could be applied to residential projects, the MBUAPCD limits its guidance to only two quantifiable, facility-based measures due to the lack of quantified research on facility-based measures in residential projects. These two measures involve design elements that are incorporated within the Specific Plan: the provision of bicycle paths that link to the external network, and the provision of pedestrian facilities. As these features are already included as part of the Specific Plan and would be implemented as part of the Specific Plan (with a related reduction in trip generation estimated to be on the order of 0.1 percent), they have not been identified as recommended mitigation measures in the DEIR.

Comment D-17: 9. CEQA requires that all feasible mitigation measures be implemented regardless of whether or not they reduce the impacts to less than significant. The FEIR should recommend the measures as described and as required by CEQA, also provide reasons why

the “General Plan” alternative (which would have lower emissions) was rejected over the proposed project.

RESPONSE D-17: As indicated in **RESPONSE D-16**, above, the two quantifiable, facility-based mitigation measures for which the MBUAPCD provides guidance both involve design elements that are already incorporated within the Specific Plan: the provision of bicycle paths and pedestrian facilities. Since these measures would already be implemented as features of the Specific Plan, they have not been identified as mitigation measures in the DEIR. Although the EIR identifies and describes feasible alternatives to reduce significant adverse environmental effects, under CEQA the Lead Agency (City of Marina) decides on the mitigation measures to actually implement. These could include mitigation measures not identified in the EIR, but might not include all mitigation measures identified in the EIR. If the mitigation measures selected by the City would not reduce the significant environmental impacts identified in the EIR to a level of less than significant, than the City would be required to make findings of overriding consideration.

It is beyond the scope of the DEIR to either “accept” or “reject” the Specific Plan or any of the alternatives evaluated in Chapter 12. Following certification of the EIR as adequate and complete, the City of Marina will decide whether to adopt the Specific Plan as proposed, to reject the Specific Plan, or to modify the Specific Plan (possibly along the lines of one or more of the alternatives evaluated in the DEIR). Under CEQA, the EIR is required to evaluate a reasonable range of project alternatives (including a No Project alternative), and to identify the “environmentally superior” alternative. As indicated on DEIR page 12-22, the No Project alternative has been identified as the “environmentally superior” alternative, **although it would not meet the objectives of the Specific Plan or the City of Marina.** In the absence of the No Project alternative, the General Plan Consistency alternative has been identified as the environmentally superior alternative.

LETTER E



July 30, 2003

Mr. Gary Wilmot
Chair, City of Marina Planning Commission
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

**RE: Comments on Draft Marina Heights Specific Plan;
Site Design Recommendations Adjacent to Pueblo del Mar**

CENTRAL OFFICE:
123 RICO ST.
SALINAS, CA 93907
831-424-2892
831-649-1541
FAX 831-424-9153
TDD 831-754-2951

Dear Chairperson Wilmot and Members of the Planning Commission,

As you will recall from previous meetings on the Marina Heights Project, the Housing Authority has some concerns about the site planning in the northeast area of the proposed project immediately adjacent to Housing Authority-owned property, known as the Pueblo Del Mar community. We met with Planning Director Jeff Dack and the Project Planner Haywood Norton on June 19th to discuss these concerns, as well as the developers of the project on July 24th. The result of both meetings was positive, and both Planning Staff and the project developers recommended we make our concerns and proposed solutions known to the Planning Commission and City Council, and carefully follow the approval process of the project as we advocate to have our recommendations adopted by decision makers. The purpose of this letter is to outline for the Planning Commission the nature of our concerns and our proposed solutions. It is our hope that our recommendations for changes in the site plan will be incorporated as conditions of approval of the project.

As you know, for the last five years Pueblo Del Mar has been providing 56 units of safe, affordable transitional housing with an array of support services for formally homeless families that have committed themselves to a program of sobriety and self-sufficiency during their residency in the community. Pueblo del Mar has been recognized as a national model for transitional housing programs and has achieved considerable success in providing families with a new start in life after residency in a drug and alcohol free community with support systems designed to promote positive, self-sufficient lifestyles. Several of the graduates named the City of Marina as their home, and have successfully re-established themselves in the larger Marina community. A couple of graduates have become homeowners. With the assistance of the City of Marina and several other community support organizations, the Housing Authority recently completed the construction of the Nancy Dodd Community Center adjacent to the Pueblo del Mar community, which is designed to be a community asset not only for the residents of Pueblo del Mar, but ultimately for the larger community that will eventually surround Pueblo del Mar in the years to come.

This is essentially our key concern about the proposed site plan for the Marina Heights project; as presently planned the Pueblo del Mar community will be physically isolated and socially segregated from the surrounding Marina Heights community. We believe a few changes in the site design around Pueblo del Mar would greatly improve the integration of Pueblo del Mar with the

E-1

future Marina Heights community, and prevent the isolation and possible social tension between the future buyers of the new homes around the existing Pueblo del Mar community (Please see Attachment 1 to this letter).

Rather than have the Pueblo del Mar community, and the Nancy Dodd Community Center, segregated behind the backyard walls of executive homes as a separate part of Marina Heights, the Housing Authority proposes that the five "Market B"; Standard 2000-3000 sq.ft. homes currently planned on the west side of Pueblo del Mar's property line be replaced with affordable townhomes, and the cul-de-sac street in front of these townhomes be replaced with a through-street. We believe these two critical changes in the site plan will greatly enhance the "connectivity" between the two communities, minimize the "edge" between the two properties, and ultimately eliminate future problems of social isolation and possible tension between the two communities. In addition, we believe these changes will enable the future residents of the townhomes, as well as future families in the neighborhood, to make much better use of the existing open space around Pueblo del Mar and the Nancy Dodd Community Center.

In our meeting with Planning Staff, it was made clear that the affordable townhomes have been intentionally dispersed throughout the entire Marina Heights development, and strategically placed on corner lots around neighborhood parks. We believe our proposal furthers the goal of integrating the affordable townhomes within the larger community because they will be located where they will be most useful to the existing community, and take advantage of the open space that currently exists around Pueblo del Mar. As an added benefit to the residents of Pueblo del Mar, it is the hope of the Housing Authority that a financing mechanism can be developed that will allow the Housing Authority to purchase the five proposed townhomes adjacent to Pueblo del Mar, and manage the 15 units as permanent rental housing for "graduates" of the Pueblo del Mar transitional housing program. This prospective acquisition of the proposed townhouses adjacent to Pueblo del Mar has several advantages, briefly outlined as follows;

- With the proposed change in the site plan, the physical "dividing line" between the Pueblo del Mar community and the larger Marina Heights neighborhood becomes a regular neighborhood street, rather than a "backyard wall", which will greatly "soften" the physical and social separation between the two properties and better integrate the two communities.
- Graduates of the Pueblo del Mar program can become permanent residents of the Marina Heights neighborhood, without severing the deep social ties to the Pueblo del Mar community, thus acting as a bridge between the two communities, rather than the "planned segregation" that we see in the site plan as presently proposed.

These proposed changes in the type of housing and street circulation adjacent to the Pueblo del Mar community also questions about the rear-yard access to the proposed townhomes, and the set-back requirements between this access and the Nancy Dodd Community Center. The current site plan shows the "back-yard wall" of the "Market B" homes very close to the recently completed community center. While we are very concerned about this set-back, we look forward to working with the developer and the Planning Commission to resolve these details, and hope that our key recommendations for a change of housing type and street design adjacent to Pueblo del Mar will be seriously considered as condition of approval.

In order to facilitate the possible ownership and management of the proposed townhomes adjacent to Pueblo del Mar by the Housing Authority, a modification of one of the policies specified in the Draft Marina Heights Specific plan will be required. One of the paragraphs of Policy 4.2.1.2 (the "Affordable Housing Sales Program") of the Draft Specific Plan (on page 22) specifically precludes the renting of affordable housing units, as all of the affordable housing units are targeted for affordable home ownership. The Housing Authority is hoping that an exception can be made in this policy to facilitate the recommendations made above.

I look forward to discussing these recommendations further. Please feel free to call me at 775-5012.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Jo Zenk".

Mary Jo Zenk
Deputy Executive Director



Attachment 1

MARINA HEIGHTS SPECIFIC PLAN/ABRAMS "B" HOUSING PROJECT – FINAL EIR C&R-59

Proposed Changes to Marina Heights Site Plan

LETTER E (continued)

Letter E: Mary Jo Zenk, Housing Authority, County of Monterey, 7/30/03.

Comment E-1: This is essentially our key concern about the proposed site plan for the Marina Heights project; as presently planned the Pueblo dl Mar community will be physically isolated and socially segregated from the surrounding Marina Heights community. We believe a few changes in the site design around Pueblo del Mar would greatly improve the integration of Pueblo del Mar with the isolation and possible social tension between the future buyers of the new homes around the existing Pueblo del Mar community (Please see Attachment 1 to this letter).

Rather than have the Pueblo del Mar community, and the Nancy Dodd Community Center, segregated behind the backyard walls of executive homes as a separate part of Marina Heights, the Housing Authority proposed that the five "Market B"; standard 2000-30000 sq. ft. homes currently planned on the west side of Pueblo del Mar's property line be replaced with affordable townhomes, and the cul-de-sac street in front of these townhomes be replaced with a through-street. We believe these two critical changes in the site plan will greatly enhance the "connectivity" between the two communities, minimize the "edge" between the two properties, and ultimately eliminate future problems of social isolation and possible tension between the two communities. In addition, we believe these changes will enable the future residents of the townhomes, as well as future families in the neighborhood, to make much better use of the existing open space around Pueblo del Mar and the Nancy Dodd Community Center.

In our meeting with Planning Staff, it was made clear that the affordable townhomes have been intentionally dispersed throughout the entire Marina Heights development, and strategically placed on corner lots around neighborhood parks. We believe our proposal furthers the goal of integrating the affordable townhomes within the larger community because they will be located where they will be most useful to the existing community, and take advantage of the open space that currently exists around Pueblo del Mar. As an added benefit to the residents of Pueblo del Mar, it is the hope of the Housing Authority that a financing mechanism can be developed that will allow the Housing Authority to purchase the five proposed townhomes adjacent to Pueblo del Mar, and manage the 15 units as permanent rental housing for "graduates" of the Pueblo del Mar transitional housing program. This prospective acquisition of the proposed townhouses adjacent to Pueblo del Mar has several advantages, briefly outlined as follows:

- With the proposed change in the site plan, the physical "dividing line" between the Pueblo del mar community and the larger Marina Heights neighborhood becomes a regular neighborhood street, rather than a "backyard wall", which will greatly "soften"*

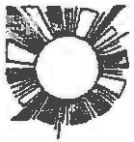
the physical and social separation between the two properties and better integrate the two communities.

- *Graduates of the Pueblo del Mar program can become permanent residents of the Marina Heights neighborhood, without severing the deep social ties to the Pueblos del Mar community, thus acting as a bridge between the two communities, rather than the “planned segregation” that we see in the site plan as presently proposed.*

These proposed changes in the type of housing and street circulation adjacent to the Pueblo del mar community also questions about the rear-yard access to the proposed townhomes, and the setback requirements between this access and the Nancy Dodd Community Center. The current site plan shows the “back-yard wall” of the “Market B” homes very close to the recently completed community center. While we are very concerned about this set-back, we look forward to working with the developer and the Planning Commission to resolve these details, and hope that our key recommendations for a change of housing type and street design adjacent to Pueblo del Mar will be seriously considered as condition of approval.

In order to facilitate the possible ownership and management of the proposed townhomes adjacent to Pueblo del Mar by the Housing Authority, a modification of one of the policies specified in the Draft Marina Heights Specific plan will be required. One of the paragraphs of Policy 4.2.1.2 (the “Affordable Housing Sales Program”) of the Draft Specific Plan (on page 22) specifically precludes the renting of affordable housing units, as all of the affordable housing units are targeted for affordable home ownership. The Housing Authority is hoping that an exception can be made in this policy to facilitate the recommendations made above.

RESPONSE E-1: Comments noted. These comments do not relate directly to the evaluation of environmental effects associated with the implementation of the Specific Plan, but instead focus on suggested modifications to the proposed site plan in one portion of the Specific Plan area. The extension of the cul-de-sac to MacArthur Drive would improve pedestrian and bicycle access to the Community Center for residents on the subject street.



Sun Street Centers

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The Mission of Sun Street Centers is to prevent the occurrence or recurrence of problems related to alcohol and drug use in Monterey County.



A United Way Agency

LETTER F

July 31, 2003

Mr. Gary Wilmot
Chair, City of Marina Planning Commission
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

RE: Site Design Recommendations for Marina Heights Projects

Dear Chairperson Wilmot and Members of the Planning Commission:

The Pueblo del Mar transitional housing program can be better integrated into the Marina Heights subdivision with a slight modification of the current plan submitted by the Chadmar Group and thereby preventing potential neighborhood isolation and social problems.

F-1

The current plan has # 4 type housing abutting the western line of the Pueblo del Mar (PDM) property line and adjacent to the Nancy Dodd Community Center and park area. Sun Street Centers and the Housing Authority for the County of Monterey (HACM) propose that the cul-de-sac shown on the Chadmar plan be extended to MacArthur Street and that the #4 type houses on the east side, abutting the park, be replaced with relocated town homes (#1 type). HACM has indicated an interest in purchasing these town homes and managing them as long term rentals for graduates of the Pueblo del Mar program.

Sun Street Centers coordinates and supports the self-government of the PDM program. We have met with both Chadmar and City Planning staff on these suggestions. We believe that the response has been positive. The changes proposed should be a "win-win-win" proposal. It should be easier for Chadmar to sell the units than try to sell #4 types abutting a transitional housing program. The relocation of #1 units on the current map is consistent with the planning policy of disbursing the units within the subdivision and locating them next to green space. It will provide permanent housing for PDM graduates that will further stabilize an already highly successful program (75% success rate).

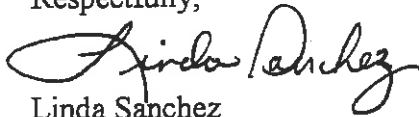
Under the current plan, Pueblo del Mar is isolated from the new community and a potential conflict line is drawn between new, relatively high-priced homes and Pueblo. We fear that a line of separation and potential conflict will be established. This can be avoided by using relocated town homes for housing of PDM graduates. By this action a bridge is established between PDM and Marina Heights. The PDM graduates will have a stake in both the Marina Height Community and PDM. There will be peer pressure within the PDM community to maintain a positive image and be good neighbors. Hopefully the sense of community pride and support that has been established at PDM can be instilled in the Marina Heights community.

Another resource for bringing the two communities together is the newly opened Nancy Dodd Community Center, to which the City of Marina was a major contributor. This Center can be used for gatherings of alcohol and drug free events, and for referral and support of Marina Heights families that are experiencing

problems related to alcohol or drugs (estimated conservatively at 1 in 5 families). Also, general adult school offerings and seminars held at the Center would have appeal to both communities. It could also be used for civic meetings that applied to the area. In this way, the PDM community could act as host to the larger community allowing for community member interaction.

We have been told that a recommendation from the planning commission is necessary to further this proposed change. We respectfully request support from the commission for this change.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Sanchez", written in a cursive style.

Linda Sanchez
Executive Director,
Sun Street Centers

LS:rg

Letter F: Linda Sanchez, Sun Street Centers, 7/31/03.

Comment F-1: The Pueblo del Mar transitional housing program can be better integrated into the Marina Heights subdivision with a slight modification of the current plan submitted by the Chadmar Group and thereby prevent potential neighborhood isolation and social problems.

The current plan has #4 type housing abutting the western line of the Pueblo del Mar (PDM) property line and adjacent to the Nancy Dodd Community Center and park area. Sun Street Centers and the Housing Authority for the County of Monterey (HACM) propose that the cul-de-sac shown on the Chadmar plan be extended to MacArthur Street and that the #4 type houses on the east side, abutting the park, be replaced with relocated town homes (#1 type). HACM has indicated an interest in purchasing these town homes and managing them as long term rentals for graduates of the Pueblo del Mar program.

Sun Street Centers coordinates and supports the self-government of the PDM program. We have met with both Chadmar and City Planning staff on these suggestions. We believe that the response has been positive. The changes proposed should be a "win-win" proposal. It should be easier for Chadmar to sell the units than try to sell #4 types abutting a transitional housing program. The relocation of #1 units on the current map is consistent with the planning policy of disbursing the units within the subdivision and locating them next to green space. It will provide permanent housing for the PDM graduates that will further stabilize an already highly successful program (75% success rate).

Under the current plan, Pueblo del Mar is isolated from the new community and a potential conflict line is drawn between new, relatively high-priced homes and Pueblo. We fear that a line of separation and potential conflict will be established. This can be avoided by using relocated town homes for housing of PDM graduates. By this action a bridge is established between PDM and Marina Heights. The PDM graduates will have a stake in both the Marina Heights Community and PDM. There will be peer pressure within the PDM community to maintain a positive image and be good neighbors. Hopefully the sense of community pride and support that has been established at PDM can be instilled in the Marina Heights community as well.

Another resource for bringing the two communities together is the newly opened Nancy Dodd Community Center., to which the City of Marina was a major contributor. This Center can be used for gatherings of alcohol and drug free events, and for referral and support of Marina Heights families that are experiencing problems related to alcohol or drugs (estimated conservatively at 1 in 5 families). Also, general adult school offerings and seminars held at the Center would have appeal to both communities. It could also be used

for civic meetings that applied to the area. In this way, the PDM community could act as host to the larger community allowing for community member interaction.

RESPONSE F-1: Comments noted. These comments do not relate directly to the evaluation of environmental effects associated with the implementation of the Specific Plan, but focus on suggested modifications to the proposed site plan in one portion of the Specific Plan area. See **RESPONSE E-1**, above.

COPIED FOR COMMISSION 8/4/03

JENNIFER LAGIER

LETTER G

August 4, 2003

Haywood Norton, Senior Planner
City of Marina
City Hall
211 Hillcrest Avenue
Marina, CA 93933

Re: Draft EIR, Marina Heights

Dear Mr. Norton:

I am writing to express my concerns over issues related to tree removal that are not addressed in the current draft EIR. Specifically, no comprehensive tree survey has been included to accurately document the precise scope of proposed tree removal. Without this information, there is no way to determine the impact this development will impose on existing views or scenic vistas. Without an assessment of impact, there is no way to address mitigation measures.

G-1

I am also concerned at the reduction of acreage dedicated to parkland within this project. Our newly adopted General Plan included a formula for calculating the necessary space to be set aside for public recreation and open spaces. Development and inclusion of the formula were the result of many hours of consultation and work on the part of both city staff and the public. It is there for a reason. The draft EIR should include a detailed analysis of the impacts resulting from the abandonment of our approved General Plan standards.

G-2

Thank you for your consideration.

Sincerely,
Jennifer Lagier

143 CYPRESS GROVE COURT • MARINA, CA • 93933
PHONE: 831-883-9640 • E-MAIL: pcmc@igc.org

CITY OF MARINA

AUG 4 - 2003

MARINA HEIGHTS SPECIFIC PLAN/ABRAMS "B" HOUSING PROJECT - FINAL EIR C&R-66 PLANNING

Letter G: Jennifer Lagier, 8/4/03.

Comment G-1: I am writing to express my concerns over issues related to tree removal that are not addressed in the current draft EIR. Specifically, no comprehensive tree survey has been included to accurately document the precise scope of proposed tree removal. Without this information, there is no way to determine the impact this development will impose on existing views or scenic vistas. Without an assessment of impact, there is no way to address mitigation measures.

RESPONSE G-1: As indicated in **RESPONSE A-1**, above, in the absence of any requirement to protect specific trees or classes of trees (with the exception of oaks or trees within oak woodlands), there is no basis for preventing property owners from removing trees from their property as long as this is accomplished in compliance with the provisions of the City's tree preservation ordinance.

The Project Applicant is submitting a Tree Removal Application to the City of Marina, according to which 2,806 existing trees are presently located within the Specific Plan area. Of these, 629 are dead or dying. Of the 2,177 remaining viable trees, the Project Applicant proposes to preserve 800 trees in their existing locations, to relocate 641 trees within the Specific Plan area, and to remove 736 trees. The Project Applicant further proposes to replace the 736 removed trees at a ratio of three-to-one, for a total of 2,208 new trees. The 2,208 new trees plus the 1,441 preserved and protected trees would increase the total number of trees within the Specific Plan area to 3,649.

Comment G-2: I am also concerned at the reduction of acreage dedicated to parkland within this project. Our newly adopted General Plan included a formula for calculating the necessary space to be set aside for public recreation and open spaces. Development and inclusion of the formula were the result of many hours of consultation and work on the part of both city staff and the public. It is there for a reason. The draft EIR should include a detailed analysis of the impacts resulting from the abandonment of our approved General Plan standards.

RESPONSE G-2: As indicated on DEIR page 9-3, under the provisions on General Plan Section 2.16.3, the Project Applicant would be required to provide sub-neighborhood parks to serve new housing and to dedicate land for recreational/equestrian trails, but otherwise the Park and Recreation Standards shown

in General Plan Table 2.3 would not apply to development within the Specific Plan area.

DEIR Chapter 2: Land Use and Planning Policy provides an evaluation of the Specific Plan consistency with the Marina General Plan, and Table 2-2 provides a discussion of those areas in which inconsistencies have been identified. The DEIR indicates on page 2-7 that because General Plans often contain numerous policies emphasizing different legislative goals, a development project may be “consistent” with a General Plan, taken as a whole, even though the project may be inconsistent with certain policies. The DEIR evaluation of Specific Plan consistency with the General Plan is not binding on the City Council, the body that will ultimately determine the extent to which the Specific Plan is consistent with the General Plan.



THE LEAGUE
OF WOMEN VOTERS
OF THE MONTEREY PENINSULA

LETTER H

August 5, 2003

Haywood Norton, Senior Planner
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

CITY OF MARINA
AUG 06 2003
PLANNING

Dear Mr. Norton:

The League of Women Voters of the Monterey Peninsula has reviewed the draft EIR for the Marina Heights Specific Plan and would like to submit the following comments for your consideration.

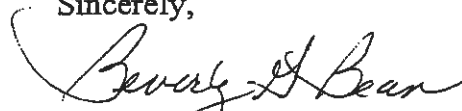
1. Traffic related to transporting demolition debris to landfills is not addressed. Debris from 828 residential units will generate considerable heavy duty truck traffic. The impact of this activity on roads and mobile source emissions should be evaluated. If this analysis is delayed to a later time, additional environmental review may be required. **H-1**
2. Estimates of the amount of debris should be provided as well as the impact on local landfills. If the debris is not disposed of locally, mobile source emissions will increase. Emission increases should be estimated. **H-2**
3. We note that there is no tree survey. This should be provided as soon as possible, and the public review period extended since this information is important in providing comments on visual and biological impacts. **H-3**
4. The proposed project is inconsistent with the recently adopted general plan in many significant ways. The draft EIR should identify these inconsistencies as significant impacts. We also note that amendments to the General Plan would require additional environmental review since the amendments would undermine the assumptions used in the environmental document prepared for the General Plan. **H-4**
5. The final EIR should include a statement regarding the reasons for choosing the proposed project over the environmentally superior project. **H-5**
6. The draft EIR should address the impacts on future residents of prescribed burning on the former Fort Ord and BLM land. Burning will occur over the years, and impacts from smoke exposure can be significant. **H-6**
7. The discussion of landfill gas impacts on nearby future residents concludes that the significant impacts would be reduced to less than significant; however, no data are provided to address the effectiveness of the mitigation measures in terms of reducing impacts to less than significant. **H-7**

8. The draft EIR states (page 10-4), "...the long-term adequacy of this supply (water) poses a serious concern as a result of the potential for continued salt water intrusion in the groundwater basin." In this regard, requirements of SB221 as chaptered in 2001 are not addressed. While there is no requirement to include this information in the draft EIR, it would be useful to the public and decision makers to have this information included in the final EIR. Specifically, the Government Code requires among other things that the agency responsible for the water system verify a sufficient water supply for the project which is defined as "total water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the proposed subdivision, in addition to existing and planned future uses, including, but not limited to, agricultural and industrial uses...".

H-8

We appreciate the opportunity to comment on the draft document.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly G. Bean". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Beverly G. Bean
President

Letter H: Beverly G. Bean, League of Women Voters, 8/5/03.

Comment H-1: 1. Traffic related to transporting demolition debris to landfills is not addressed. Debris from 828 residential units will generate considerable heavy duty truck traffic. The impact of this activity on roads and mobile source emissions should be evaluated. If this analysis is delayed to a later time, additional environmental review may be required.

RESPONSE H-1: Although the transportation of hazardous demolition debris is identified as a potentially significant impact on DEIR page 7-25, the emissions associated with the vehicles hauling demolition waste from the Specific Plan area to the licensed disposal area has not been addressed in the DEIR. The Project Applicant indicates that an average of approximately 425 tons of debris would be moved from the Specific Plan area to the disposal area each workday during the demolition period. If the average truckload is approximately 20,000 pounds, this would represent approximately 43 inbound truck trips and 43 outbound truck trips during the average working day during the demolition period. These 86 estimated daily vehicle trips would generate air pollutants, and result in additional traffic along local roadways. However, these trips would not generate air pollutants above the MBUAPCD's threshold levels of significance identified in DEIR Chapter 4: Air Quality, and would take place for a limited time during the demolition period only, so these trips would not be regarded as creating a significant environmental impact (aside from the hazardous nature of some of the cargo, as addressed on DEIR page 7-25 in **Potential Impact 7.1**). The Project Applicant has indicated that the Monterey Regional Waste Management District has requested that all demolition debris be disposed of in their landfill immediately north of Marina.

Full development within the Specific Plan area would generate an estimated 756 vehicle trips during the AM peak commuter hour and 1,013 vehicle trips during the PM commute hour. It is not likely that construction activities at the Specific Plan area would generate this intensity of traffic and, therefore, traffic-related impacts identified in the DEIR will not be exceeded during construction. It is recommended that the Project Applicant prepare a construction traffic management plan that describes access routes to be used by construction-related trucks and employees, construction worker parking areas, material staging areas and unique traffic control needs that maybe required during construction.

Comment H-2: 2. Estimates of the amount of debris should be provided as well as the impact on local landfills. If the debris is not disposed of locally, mobile source emissions will increase. Emission increases should be estimated.

RESPONSE H-2: See RESPONSE H-1, above. The Monterey Regional Waste Management District has indicated that its landfill north of Marina has a 100-year capacity.

Comment H-3: 3. We note that there is no tree survey. This should be provided as soon as possible, and the public review period extended since this information is important in providing comments on visual and biological impacts.

RESPONSE H-3: The Project Applicant is submitting a Tree Removal Application to the City of Marina, according to which 2,806 existing trees are presently located within the Specific Plan area. Of these, 629 are dead or dying. Of the 2,177 remaining viable trees, the Project Applicant proposes to preserve 800 trees in their existing locations, to relocate 641 trees within the Specific Plan area, and to remove 736 trees. The Project Applicant further proposes to replace the 736 removed trees at a ratio of three-to-one, for a total of 2,208 new trees. The 2,208 new trees plus the 1,441 preserved and protected trees would increase the total number of trees within the Specific Plan area to 3,649.

As indicated in RESPONSE A-1, above, no individual trees within the Specific Plan area have been identified as “landmark” trees that would require special preservation efforts under the City’s current tree protection ordinance, although the protection of oak trees at the Specific Plan area would be consistent with the relevant section of the Marina General Plan. As indicated in Chapter 8 of the DEIR, the development of the Specific Plan area as proposed (including the loss of trees other than oaks) would change the visual character of the area, but would be regarded as less than significant. Landscaping is included as part of the Specific Plan, and over time, the vegetation installed as part of the landscaping could be expected to mature to moderate some of the visual effects associated with the proposed development. None of the trees identified at the Specific Plan area represent “special-status species” that would warrant special protection for biological reasons.

Comment H-4: 4. The proposed project is inconsistent with the recently adopted general plan in many significant ways. The draft EIR should identify these inconsistencies as significant impacts. We also note that amendments to the General Plan would require additional environmental review since the amendments would undermine the assumptions used in the environmental document prepared for the General Plan.

RESPONSE H-4: Comment noted. The DEIR addresses Specific Plan consistency with the General Plan in Chapter 2: Land Use and Planning (see Table 2-1 and Table 2-2). As indicated in the DEIR discussion of consistency (see DEIR pages 2-6 through 2-7), the ultimate decisions regarding the extent to which the proposed Specific Plan is consistent with the current General Plan will be made by the City Council.

The Draft EIR evaluates the Specific Plan as proposed, and in order to implement the Specific Plan as proposed, amendment of the current General Plan will be necessary (see Table 2-2). The Project Applicant submitted an application for General Plan Amendments on June 29, 2003. As development of the Specific Plan area as proposed can only take place following adoption of the necessary site-specific amendments to the current General Plan, the DEIR evaluation has been predicated on the assumption that all necessary site-specific General Plan Amendments could be adopted by the City of Marina to enable such development to proceed. If so, there will be no inconsistency. For this reason, General Plan Amendments directly associated with development of the Specific Plan area as proposed would not be expected to require additional environmental review beyond that provided in the Marina Heights Specific Plan/Abrams "B" Housing Project EIR, as the impacts associated with the adoption of such amendments have already been evaluated within the context of the proposed development of the Specific Plan area. Were General Plan Amendments sought by the Project Applicant to have applicability to other portions of Marina beyond the Specific Plan area, however, additional environmental review might be necessary under CEQA.

Comment H-5: 5. The final EIR should include a statement regarding the reasons for choosing the proposed project over the environmentally superior project.

RESPONSE H-5: Under CEQA, the DEIR evaluates the anticipated environmental effects associated with the Specific Plan as proposed, identifies measures that can be implemented to reduce any significant impacts associated with implementation of the Specific Plan to a level of less than significant, and evaluates a reasonable range of alternatives to the Specific Plan. In Chapter 12: Alternatives, the DEIR identifies the

Mr. Hayward Norton
August 13, 2003
Page 3 of 4

7. Section 10, Public Services and Utilities, Page 10-3, Paragraph 4 states: *"Since then, the District has entered into an agreement with the Monterey Regional Water Pollution Control Agency (MRWPCA)..."* J-7

Please replace *"Since then"* with *"In 1989,"* as it is more accurate.

8. Section 10, Public Services and Utilities, Page 10-4, Paragraph 1 states: *"...(theoretically, up to about 2,240 AFY, given current capacity)."* J-8

Please include the following at the end this sentence: *", for the City of Marina and additional capacity with the former Fort Ord."*

9. Section 10, Public Services and Utilities, Page 10-4, Paragraph 1 states: *"MCWD has agreed to take no more than 300 AFY during the winter. Ultimately, the District plans to irrigate all City parks, ballfields and other public landscaped areas with recycled water supplied from the MRWPCA's tertiary treatment facility, thus saving potable water which would otherwise be used for irrigation or other purposes."* J-9

Please rewrite these two sentences in the following way: *"Under the 1996 Annexation Agreement and Groundwater Mitigation Framework for Marina Area Lands with the MCWRA, the District agreed to take all but 300 acre-feet per year of its recycled water entitlement during the winter months (November – February). During the months of March through October, the District may take the 300 AF/Y of recycled water to which it is entitled. All City parks, ballfields and other public landscaped areas could be irrigated with recycled water as supplied from the MRWPCA's tertiary treatment facility."*

10. Section 10, Public Services and Utilities, Page 10-5. Please insert the following sentence after the first paragraph. J-10

"There may be offsite wastewater collection system improvements needed for this project. The project applicant will analyze and make any improvements necessary outside the project boundaries."

11. Section 10, Public Services and Utilities, Page 10-13, Paragraph 1 states: *"...and the City of Marina Public Works Department."* J-11

Please delete this portion of the sentence in its entirety.

Mr. Hayward Norton
August 13, 2003
Page 4 of 4

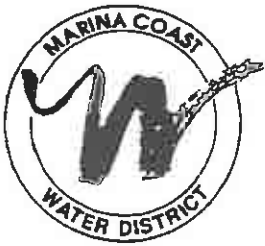
We look forward to completing the Construction and Transfer of Water, Recycled Water, and Sewer Infrastructure Agreement in the near future. Should you have any questions or comments, please call us at (831) 384-6131.

Sincerely,

A handwritten signature in black ink, appearing to read 'David B. Meza', written over the word 'Sincerely,'.

David B. Meza
District Engineer

Attachment: April 20, 2001 Letter from MCWD to Mid-Peninsula



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD • MARINA, CA 93933-2099

Home Page: www.mcwd.org

TEL (831) 384-6131 • FAX (831) 384-2479

DIRECTORS
DAVID BROWN
President

THOMAS P. MOORE
Vice-President

EMMETTE RANDLE, JR.
MARION BRYSON
KENNETH NISHI

MICHAEL D. ARMSTRONG
General Manager

April 20, 2001

Mid-Peninsula Housing Coalition
Ms. Jane Royer Barr
77 Aspen Way, Suite 103
Watsonville, CA 95076

Subject: Abrams B Project

Dear Jane,

Thank you for meeting with Mr. Richard Youngblood and myself on April 6, 2001. We have noted your comments and offer the following clarification to the March 22, 2001 Marina Coast Water District letter. This letter is intended to state our agreement and will become part of a formal agreement between the Marina Coast Water District and Mid-Peninsula Housing Coalition.

The pertinent points of the agreement are as follows.

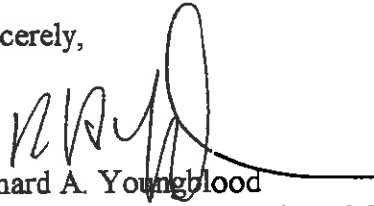
1. MCWD accepts Mid-Peninsula's proposal to use the existing laterals. It is understood that the condition of the existing laterals is unknown at this time. It is understood that utilization of the existing laterals does not meet MCWD's requirements. Consequently, water leaks between the water main/lateral connection and the water meter may develop in the next few years.
2. It is understood that the proposed meter system utilizing an existing lateral and then branching from the existing lateral to serve individual units may result in low pressures over time. The water pressure at each unit is influenced by peak hour demand and system pressure. System pressure may decrease due to system-wide water demand, water leaks, or fire flow demand.
3. Mid-Peninsula agrees to participate with improvements to service laterals when water pressure at the meter falls below 15 psi or as required in the UPC, AWWA, and health regulations, as pertains to required water pressure.
4. Mid-Peninsula agrees to participate with improvements to water service laterals when the lateral shows evidence of leaking after construction. Mid-Peninsula agrees to participate with improvements to water service laterals when decreased water pressure results in significant customer dissatisfaction due to low pressures and/or volumes. Significant

Ms. Jane Royer Barr
April 20, 2001
Page 2

customer dissatisfaction would occur when more than one tenant complains. It is understood that participation by Mid-Peninsula will include all costs to address water leaks and/or low water pressure from the existing lateral connection at the main to the meter for a period of five years or as long as property remains under the management of Mid-Peninsula Housing Coalition. All required plumbing modifications shall use the Marina Coast Water District standard specifications and plans.

We are confident that this course of action will enable your development to proceed without delay. Please contact me if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Youngblood', with a long horizontal flourish extending to the right.

Richard A. Youngblood
Conservation/Special Projects Manager

cc: District Engineer

Letter J: David B. Meza, Marina Coast Water District, 8/14/03

Comment J-1: 1. Executive Summary, Page ES-1. The Abrams 'B' housing area is an existing housing complex managed by the Mid-Peninsula Housing Coalition. As mentioned in the District's correspondence to Mid-Peninsula dated April 20, 2001, Mid-Peninsula was required to correct any water leaks and assure that system pressure for the housing area complies with health and safety requirements. Given the anticipated increase water demand from the Marina Heights development, it is anticipated that water system pressures will drop to unacceptable levels. The project applicant shall be required to conduct a water master plan to include Abrams 'B' and monitor system pressure and water use with master meters and pressure gauges for the Abrams 'B' project. If unacceptable system pressure and water leaks are realized, then Mid-Peninsula and the project applicant will be required to restore the system to meet District standards as determined from the analysis and as stated in the District's April 20, 2003 letter mentioned above.

RESPONSE J-1: Comment noted. The Project Applicant will be required to comply with all applicable conditions of approval to receive public utility service.

Comment J-2: 2. Section 10, Public Services and Utilities, Page 10-3, Paragraph 1 states: "The water district currently operates and maintains both the water and sewer systems on former Fort Ord as part of a caretaker agreement with the U.S. Army, and will ultimately obtain ownership of them through a conveyance."

Please modify this sentence to read: "The water district currently owns, operates and maintains both the water and sewer systems on former Fort Ord."

RESPONSE J-2: Comment noted. On DEIR page 10-3, the last sentence of the first paragraph has been modified to read as follows:

The water district currently owns, operates and maintains both the water and sewer systems on former Fort Ord. ~~as part of a caretaker agreement with the U.S. Army, and will ultimately obtain ownership of them through a conveyance.~~

Comment J-3: 3. Section 10, Public Services and Utilities, Page 10-3, Paragraph 2 states: "Three wells located in the deep aquifer of the Salinas Valley Water Basin and one in the 400-foot aquifer presently provide almost all of MCWD's potable water. This supply is

augmented by an additional 300 acre-feet of potable water per year from the District's new desalinization plant."

Please delete these two sentences of this paragraph in their entirety, as this requires some correction and pertains to the Marina water system.

RESPONSE J-3: Comment noted. On DEIR page 10-3, the second paragraph has been modified to read as follows:

~~Three wells located in the deep aquifer of the Salinas Valley Water Basin and one in the 400 foot aquifer presently provide almost all of MCWD's potable water. This supply is augmented by an additional 300 acre feet of potable water per year from the District's new desalinization plant.~~ The former Fort Ord water system, known as the Ord Community Water System, area is served by three active wells, two of which are located on land conveyed to the University of California, on the east side of Blanco Road. The former military base's potable water supply also includes 13 storage tank reservoirs having a combined capacity of 10.3 million gallons and six pump stations.

Comment J-4: 4. Section 10, Public Services and Utilities, Page 10-3, Paragraph 2 states: "The former Fort Ord area is served by three active wells, two of which are located on land conveyed to the University of California ..."

Please modify this sentence to read: "The former Fort Ord water system, known as the Ord Community Water System, is served by three active wells, two of which are located on land conveyed to the University of California..."

RESPONSE J-4: Comment noted. On DEIR page 10-3, the second paragraph has been modified to read as follows:

~~Three wells located in the deep aquifer of the Salinas Valley Water Basin and one in the 400 foot aquifer presently provide almost all of MCWD's potable water. This supply is augmented by an additional 300 acre feet of potable water per year from the District's new desalinization plant.~~ The former Fort Ord water system, known as the Ord Community Water System, area is served by three active wells, two of which are located on land conveyed to the University of California, on the east side of Blanco Road. The former military base's potable water supply also includes 13 storage tank reservoirs having a combined capacity of 10.3 million gallons and six pump stations.

Comment J-5: 5. Section 10, Public Services and Utilities, Page 10-3, Paragraph 3 states: "Marina presently has a total water allocation of 4,400 acre-feet per year (AFY)."

Please replace this sentence with the following: "The water allocation for the Armstrong Ranch, RMC Lonestar, and the City of Marina, outside the former Fort Ord, is 4,400 acre-feet per year (AFY)."

RESPONSE J-5: Comment noted. On DEIR page 10-3, the third sentence in the third paragraph has been modified to read as follows:

~~Marina presently has a total~~ The water allocation for the Armstrong Ranch, RMC Lonestar, and the City of Marina, outside the former Fort Ord, is of 4,400 acre-feet per year (AFY).

Comment J-6: 6. Section 10, Public Services and Utilities, Page 10-3, paragraph 4 states: "In addition to potable groundwater, Marina's available water supply is augmented by both potable water supplied by MCWD;s new desalinization plant and recycled (non-potable) water. Approximately 600 AFY are presently supplied through both recycling and desalinization."

Please replace this sentence with the following: "In addition to potable groundwater, the MCWD is planning to augment the water supply with a new supply. The Regional Urban Water Augmentation Project will identify the new source of 2,400 AFY to supplement the 6,600 AFY of groundwater currently allocated to the former Fort Ord. The Fort Ord Reuse Plan anticipates the additional 2,400 AFY to satisfy planned redevelopment requirements. The Regional Water Augmentation Project environmental document will analyze two water supply projects: recycled water and desalinization."

RESPONSE J-6: Comment noted. On DEIR page 10-3, the fourth paragraph has been modified to read as follows:

In addition to potable groundwater, the MCWD is planning to augment the water supply with a new supply. The Regional Urban Water Augmentation Project will identify the new source of 2,400 AFY to supplement the 6,600 AFY of groundwater currently allocated to the former Fort Ord. The Fort Ord Reuse Plan anticipates the additional 2,400 AFY to satisfy planned redevelopment requirements. The Regional Water Augmentation Project

~~environmental document will analyze two water supply projects: recycled water. Marina's available water supply is augmented by both potable water supplied by MCWD's new desalinization plant and recycled (non-potable) water. Approximately 600 AFY are presently supplied through both recycling and desalinization.~~

Comment J-7: 7. Section 10, Public Services and Utilities, Page 10-3, Paragraph 4 states: "Since then, the District has entered into an agreement with the Monterey Regional Water Pollution Control Agency (MRWPCD)..."

Please replace "Since then" with "In 1989," as it is more accurate.

RESPONSE J-7: Comment noted: On DEIR page 10-3, the fifth paragraph that continues onto page 10-4 has been modified to read as follows:

The use of recycled (non-potable) water represents an effective strategy for augmenting the City's available potable water supply. In 1994, MCWD began supplying approximately 300 AFY of recycled water from its wastewater treatment plant for irrigation purposes. ~~Since then~~ In 1989, the District has entered into an agreement with the Monterey Regional Water Pollution Control Agency (MRWPCA) which entitles MCWD to take a quantity of recycled water equal to the amount of wastewater the District sends to the wastewater treatment facility (theoretically, up to about 2,240 AFY, given current capacity, for the City of Marina and additional capacity with the former Fort Ord). ~~MCWD has agreed to take no more than~~ Under the 1996 Annexation Agreement and Groundwater Mitigation Framework for Marina Area Lands with the MCWRA, the District agreed to take all but 300 AFY of its recycled water entitlement during the winter months (November - February). During the months of March through October, the District may take the 300 AFY of recycled water to which it is entitled, during the winter. Ultimately, the District plans to irrigate ~~All City parks, ballfields and other public landscaped areas with recycled water supplied from the MRWPCA's tertiary treatment facility, thus saving potable water which would otherwise be used for irrigation or other purposes~~ could be irrigated with recycled water as supplied from the MWRWPCD's tertiary treatment facility.

Comment J-8: 8. Section 10, Public Services and Utilities. Page 10-4, Paragraph 1 states: "...theoretically, up to about 2,240 AFY, given current capacity)."

COMMENTS AND RESPONSES

Comment J-11: 11. Section 10, Public Services and Utilities, Page 10-13, Paragraph 1 states "...and the City of Marina Public Works Department."

Please delete this portion of the sentence in its entirety.

RESPONSE J-11: Comment noted. On DEIR page 10-13, the second sentence in the first paragraph has been modified to read as follows:

A Construction and Transfer of Water, Recycled Water, and Sewer Infrastructure Agreement would be executed as necessary with MCWD ~~and the City of Marina Public Works Department.~~

MST

MONTEREY-SALINAS TRANSIT

LETTER K

JOINT POWERS AGENCY MEMBERS:

*City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Marina • City of Monterey • City of Pacific Grove
City of Salinas • City of Seaside • County of Monterey*

August 15, 2003

Mr. Haywood Norton
Senior Planner
City of Marina
211 Hillcrest Avenue
Marina, California 93933

**Re: Comments on Draft Environmental
Impact Report for the Marina
Heights Specific Plan/Abrams B
Housing Project**

Dear Mr. Norton:

This letter transmits Monterey-Salinas Transit's comments on the Draft Environmental Impact Report for the Marina Heights Specific Plan/Abrams "B" Housing Project to be considered by the City Planning Commission.

Consistency with the Marina General Plan

First, we do not believe that the conditions exist for making a Finding of Overriding Consideration on the non-conformity of the project with the City's General Plan density standards of 8 units per acre and the other transit-friendly provisions and policies of the Marina General Plan. According to CEQA Guidelines, a Finding of Overriding Consideration requires that there be specific overriding social, economic or other factors to justify approving a project that does not meet the General Plan's density requirements. There is no evidence provided in the DEIR that points to such factors. In addition, tracing back through recent history, when the Fort Ord Closure EIS was finalized, the massive traffic impacts of reuse were mitigated by the involved cities committing to future General Plans that fully accommodated and provided for transit service as a mitigation measure. Marina's subsequent and updated General Plan accomplished these changes. It is not appropriate to now begin amending the transit-friendly components of these General Plans out of existence. To do so will invite legal challenge and a re-thinking of the amount of development permitted in the Fort Ord Reuse areas both on traffic and air quality.

K-1

One Ryan Ranch Road • Monterey, California 93940-5795 USA • Fax 831.899.3954 • Phone 831.899.2558 or 424.7695
www.mst.org • e-mail: mst@mst.org

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Citizen-Initiated Alternative is Environmentally Superior

MST contends that the Citizen-Initiated Alternative would be the superior alternative, if the project were limited to the originally proposed 1,050 units that would comply with the General Plan density requirements and transit-supportive policies, and it also would allow for transit to efficiently and effectively serve the development. This will reduce the pressures on roadway Level of Service as well as assist in reducing the regional emission impacts. The project proposes to replace 828 abandoned military housing units with 1050 units and will be located adjacent to a senior housing area currently in the approval phase with the City. Thus, it is imperative that transit supportive land use and street design be provided to this development. Since the City is the applicant and owns the property, this should not be a problem. Transit-friendly design, inclusion of transit amenities such as stops, shelters, signage, and pedestrian access are consistent with the City General Plan, the Regional Transportation Plan, the Traffic Congestion Management Program and the Air Quality Attainment Plan.

K-2

Traffic Analysis Does Not Address Transit Needs

The Draft EIR seems to have disposed of transit once the "decision" was made in the document to amend the General Plan density requirement of 7.5 to 8 units per acre. As stated above, this density and other transit-friendly policies of the Marina General Plan were made, in part, to allow for the redevelopment of Fort Ord without creating massive and unacceptable traffic congestion. In addition to density, short blocks, bus stops and pull-outs and adequate street section, we encourage the City to require some neighborhood commercial uses, day care facilities, and other transit-oriented development to reduce trip making. Finally, pedestrian access at least five feet wide meeting ADA requirements should be provided throughout the development. Finally, the developer should provide all new owners and tenants with transit information packets upon move-in. MST can provide these to the developer and this should be a condition of development.

K-3

The subsequent traffic analysis provided in the DEIR does not address transit access requirements and needs to be changed to do so. Specifically, the roadway cross sections for Main Street through the development as well as Imjin, Abrams, and the Carmel Avenue Extension each need to allow for bus pull-outs at stops, and the bus stops need to be agreed to by MST and shown on the plans for the development. Road sections should be structured to accommodate full size transit coaches as a condition of development, turning radii, access lanes and traffic control into and out of the development need to accommodate transit buses. Similarly, where traffic signalization is being required as mitigation, the signalization should include transit vehicle pre-emption. Where road widening is being proposed, any interference with existing bus stops needs to be addressed and bus pullouts added where they do not now

K-4

Mr. Haywood Norton
 August 15, 2003
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exist. We request that each of the mitigation measures in the #3 series be modified to address transit needs and we will be happy to work with you to accomplish this. MST requests that traffic analysis be modified to show the effect of reduced trips and reduced emissions resulting from these modifications.

Within the development, MST will stop at the Project entries at California Street, at Imjin Road, and at the Carmel Road extension in both directions. Bus stops should also be planned far-side of the roundabout on Main Street in both directions. In a recent development in the City of Salinas, MST has worked with the City to co-locate the bus stops with the traffic calming pavement striping. This would be appropriate in this development as well. Obviously, the roundabout should be sized with adequate turning radii for full size transit coaches.

K-5

Transit Operating Funding

The city will be collecting development fees to cover regional roadway improvements and park fees for parks, and school fees for schools. The City should also collect fees to support half-hourly service through the development. This will cost approximately \$244,800 per year total with \$40,800 in annual cost attributable to this development in additional transit service and will return the area to its pre-Fort Ord closure service level of half hourly service. Section 10 of the DEIR addresses all public services except transit and this needs to be corrected to incorporate MST service as a public service.

K-6

Regional Emission Reductions

The proposed development will exceed the threshold of significance for VOC, NOx, and PM10 emissions. The DEIR relies only on bicycle and pedestrian improvements in applying MBUAPCD's CEQA Air Quality Guidelines, and because the MBUAPCD guidelines are limited to only these two quantifiable measures, ignores transit. It is logical that in order to have an impact on regional emissions, transit service must be provided to the residential end of the trip. For this reason, the mitigation dealing with regional emissions should require that public transit service be provided to the new development, and that transit-oriented development be identified as a means reducing regional emissions.

K-7

Highway 1, Reservation Road and Del Monte Blvd. Impacts

The DEIR uses contribution to traffic impact fees as mitigation for regional facility impacts. However, such monetary contribution is not really mitigation of a traffic impact until such time as a road or transit improvement project is developed, programmed in the Regional, State and Federal Transportation Improvement Programs and constructed. References to monetary contributions being mitigations should be removed.

K-8

Mr. Haywood Norton
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In addition, the impact of falling Levels of Service on transit operating time and cost are not addressed. These are real costs to the members of the MST Joint Powers Agency and will require that additional funds be used to simply run the same level of service. One solution will be to incorporate exclusive transit rights of way into new development plans and road plans. This needs to be addressed. It now takes fully 50 minutes one way for buses to circulate on lines 16 - 17, Edgewater-Marina, that connect Edgewater Transit Exchange, the project area and Marina Transit Station. This development will exacerbate this situation and the traffic analysis should estimate the additional transit time and annual expenses for mitigation.

K-9

Highway 1 Solutions

Each of the Peninsula's mayors signed a statement that their cities would evaluate Highway 1 improvements that make use of transit. This was a requirement for the Coastal Consistency determination during the Fort Ord Closure. This is not referenced or followed through upon in the DEIR and needs to be addressed.

K-10

Should you have any questions, please do not hesitate to contact me at 899-2558.

Sincerely,



Carl Sedoryk
Assistant General Manager / CFO

Cc: MST Board of Directors
Marina Planning Commissioners
G. Albright, Director, Caltrans District 5
D. Murray, Caltrans District 5
N. Papadakis, AMBAG Executive Director
W. Reichmuth, TAMC Executive Director
D. Quetin, MBUAPCD Executive Director

Letter K: Carl Sedoryk, Monterey-Salinas Transit, 8/15/03.

Comment K-1: Consistency with the Marina General Plan First, we do not believe that the conditions exist for making a Finding of Overriding Consideration on the non-conformity of the project with the City's General Plan density standards of 8 units per acre and the other transit-friendly provisions and policies of the Marina General Plan. According to CEQA Guidelines, a Finding of Overriding Consideration requires that there be specific overriding social, economic or other factors to justify approving a project that does not meet the General Plan's density requirements. There is no evidence provided in the DEIR that points to such factors. In addition, tracing back through recent history, when the Fort Ord Closure EIS was finalized, the massive traffic impacts of reuse were mitigated by the involved cities committing to future General Plans that fully accommodated and provided for transit service as a mitigation measure. Marina's subsequent and updated General Plan accomplished these changes. It is not appropriate to now begin amending the transit-friendly components of these General Plans out of existence. To do so will invite legal challenge and a re-thinking of development permitted in the Fort Ord Reuse areas both on traffic and air quality.

RESPONSE K-1: Opinion regarding whether it may be appropriate to amend the Marina General Plan to enable development of the Specific Plan area as proposed is noted. The DEIR evaluates the environmental effects that may be anticipated if the Specific Plan area were to be developed as currently proposed. It is beyond the scope of the DEIR to evaluate the social, economic or other non-environmental effects that may be associated with the implementation of the Specific Plan. For this reason, this comment correctly points out that the DEIR does not provide the basis for the preparation of Findings of Overriding Considerations for any of the significant environmental impacts it identified. In its deliberations on the Specific Plan, the Marina City Council will ultimately have the responsibility for determining whether or not the environmental impacts that may be associated with development under the Specific Plan outweigh any social or economic benefits that may be obtained by amending the current General Plan and adopting the proposed Specific Plan.

Comment K-2: Citizen-Initiated Alternative is Environmentally Superior MST contends that the Citizen-Initiated Alternative would be the superior alternative, if the project were limited to the originally proposed 1,050 units that would comply with the General Plan density requirements and transit-supportive policies, and it would also allow for transit to efficiently and effectively serve the development. This will reduce the pressures on roadway Level of Service as well as assist in reducing the regional emissions impacts. The project

proposes to replace 828 abandoned military housing units with 1050 units and will be located adjacent to a senior housing area currently in the approval phase with the City. Thus it is imperative that transit supportive land use and street design be provided to this development. Since the City is the applicant and owns the property, this should not be a problem. Transit-friendly design, inclusion of transit amenities such as stops, shelters, signage, and pedestrian access are consistent with the City General Plan, the Regional Transportation Plan, the Traffic Congestion management Program and the Air Quality Attainment Plan.

RESPONSE K-2: Opinion regarding the superiority of a modified version of the Citizen-Initiated alternative is noted. As indicated on DEIR page 12-22, the No Project alternative has been identified as the “environmentally superior” alternative in the DEIR (in the absence of the No Project alternative, the DEIR identifies the General Plan Consistency alternative as “environmentally superior”). By limiting the number of housing units to be built within the Specific Plan area to 1,050 and keeping other elements of the Citizen-Initiated alternative in place, the modified alternative would be expected to generate traffic at levels similar to the Specific Plan, with similar air quality impacts (although some reduction in vehicle trips could be anticipated as a result of increased residential densities, traditional neighborhood design and neighborhood-serving commercial uses). Although the City currently owns the land identified as the Specific Plan area, the Project Applicant is not the City of Marina, but Cypress Marina Heights Partners (see DEIR page P-1). Cypress Marina Heights Partners has an Option Agreement with the City of Marina that would enable that organization to acquire the land identified as the Specific Plan area from the City of Marina.

Comment K-3: Traffic Analysis Does Not Address Transit Needs The Draft EIR seems to have disposed of transit once the “decision” was made in the document to amend the General Plan density requirement of 7.5 to 8 units per acre. As stated above, this density and other transit-friendly policies of the Marina General Plan were made, in part, to allow for the redevelopment of Fort Ord without creating massive and unacceptable traffic congestion. In addition to density, short blocks, bus stops and pullouts and adequate street section, we encourage the City to require some neighborhood commercial uses, day care facilities, and other transit-oriented development to reduce trip making. Finally, pedestrian access at least five feet wide meeting ADA requirements should be provided throughout the development. Finally, the developer should provide all new owners and tenants with transit information packets upon move-in. MST can provide these to the developer and this should be a condition of development.

RESPONSE K-3: Recommendations related to having the City of Marina: require short blocks, bus stops and pull-outs, adequate street sections and neighborhood commercial uses, day care facilities and other transit-oriented facilities; require the Project Applicant provide to transit information packets to future homeowners; and require the Project Applicant to provide sidewalks at least five feet wide throughout the Specific Plan area are noted. The DEIR evaluates the environmental effects associated with the implementation of the Specific Plan as proposed. As currently proposed, the development of the Specific Plan would take place at an average residential density of approximately 5.4 units per gross acre, which does not conform to current General Plan requirements (see DEIR page 2-25). No “decision” was made “to amend the General Plan density requirement” in the DEIR, as the DEIR cannot alter either the General Plan or the Specific Plan as proposed.. The DEIR clearly indicates that the proposed Specific Plan does not conform to all General Plan sections (see Table 2-2 on DEIR pages 2-24 through 2-34). As indicated on DEIR page 2-7, the Project Applicant has requested General Plan Amendments for any policy with which the Specific Plan as currently proposed is non-conforming. The traffic analysis presented in the DEIR includes assumptions regarding future development within the Marina area (including the former Fort Ord) through 2020. This analysis identifies those local intersections where levels of service would become unsatisfactory as a result of cumulative development (including that within the Specific Plan area), and presents recommended mitigation measures that could be implemented to reduce significant adverse traffic impacts to a level of less than significant.

Within the Specific Plan area, five-foot wide sidewalks are proposed on Abrams Drive, Main Street and the divided entry streets. Four-foot wide sidewalks are proposed on all other streets. The American Association of State Highway and Transportation Officials (AASHTO) recommends a minimum sidewalk width of four feet (*A Policy on Geometric Design of Highways and Streets*, 2001, AASHTO). The Institute of Transportation Engineers recommends that sidewalks be a minimum of five feet in width with a planting strip minimally two feet in width on arterials and collector streets and on local streets in residential areas developed with greater than 4 dwelling units per acre (*Design and Safety of Pedestrian Facilities, A Recommended Practice of the Institute of Transportation Engineers*, March 1998). Because an average residential density of approximately 5.4 units per acre is proposed for the Specific Plan area, it is recommended that a five-foot sidewalk be provided throughout the development.

Comment K-4: The subsequent traffic analysis provided in the DEIR does not address transit access requirements and needs to be changed to do so. Specifically, the roadway cross sections for Main Street through the development as well as Imjin, Abrams, and the Carmel Avenue Extension each need to allow for bus pull-outs at stops, and the bus stops need to be agreed to by MST and shown on the plans for development. Road sections should be structured to accommodate full size transit coaches as a condition of development, turning radii, access lanes and traffic control into and out of the development need to accommodate transit buses. Similarly, where traffic signalization is being required as mitigation, the signalization should include transit vehicle pre-emption. Where road widening is being proposed, any interference with existing bus stops needs to be addressed and bus pullouts added where they do not now exist. We request that each of the mitigation measures in the #3 series be modified to address transit needs and we will be happy to work with you to accomplish this. MST requests that traffic analysis be modified to show the effect of reduced trips and reduced emissions from these modifications.

RESPONSE K-4: Comment and requests acknowledged. Development of the Specific Plan area as proposed would generate new transit ridership. However, under the significance criteria used in the DEIR analysis (based on CEQA Guidelines Appendix G)), this would represent a significant environmental effect only if development of the Specific Plan area were to conflict with adopted policies, plans and programs supporting alternative transportation (e.g., the MST system). Current transit service serves Preston Drive and Abrams Drive east of the Specific Plan area from Imjin Parkway (MST Transit Line 17). It is recommended that the Project Applicant and the City of Marina coordinate with MST the extension of transit service into the Specific Plan area. In particular, the Project Applicant should coordinate the location of bus pullouts on Main Street, Imjin Parkway, Abrams Drive and Carmel Avenue. All roadway design elements, including the roundabout design, traffic control, roadway widths and turning radii, should be designed to serve the operational characteristics of full-size transit buses. Streets and traffic control devices should be designed to meet guidelines contained in MST's *Designing for Transit* (August 1996). Measures to enhance the transit operations within the Specific Plan area such as those identified in this comment could be expected to result in some increase in future transit use within the Specific Plan area, but it would be speculative to attempt to quantify any possible reduction in Specific Plan-related traffic resulting from implementation of the measures suggested. The trip generation assumptions used in the traffic analysis presented in the DEIR reflect conditions associated with development of the Specific Plan area as proposed. Although inclusion of the transit-related improvements identified in this comment might be expected to reduce trip generation to a limited extent as a result of enhanced transit service, the analysis provided in the DEIR covers a "worst-case" scenario in terms of traffic conditions and related environmental effects.

Comment K-5: Within the development, MST will stop at the Project entries at California Street, at Imjin Road, and at Carmel Road extension in both directions. Bus stops should also be planned far-side of the roundabout on Main Street in both directions. In a recent development in the City of Salinas, MST has worked with the City to co-locate the bus stops with the traffic calming pavement striping. This would be appropriate in this development as well. Obviously, the roundabout should be sized with adequate turning radii for full size transit coaches.

RESPONSE K-5: See RESPONSE K-4, above.

Comment K-6: Transit Operating Funding The city will be collecting development fees to cover regional improvements and park fees for parks, and school fees for schools. The City should also collect fees to support half-hour service through the development. This will cost approximately \$244,800 per year total with \$40,800 in annual cost attributable to this development in additional transit service and will return this area to its pre-Fort Ord closure service level of half hourly service. Section 10 of the DEIR addresses all public services except transit and this needs to be corrected to incorporate MST service as a public service.

RESPONSE K-6: Recommendation noted. There is currently no established transit impact fee within the City of Marina, and under the significance criteria identified in CEQA Guidelines (Appendix G), project-related effects on transit service are not identified as significant environmental effects. Payment and collection of transit impact fees should be discussed and agreed upon by MST and the City of Marina.

Comment K-7: Regional Emission Reductions The proposed development will exceed the threshold of significance for VOC, NOx and PM10 emissions. The DEIR relies only on bicycle and pedestrian improvements in applying MBUAPCD's CEQA Air Quality Guidelines, and because the MBUAPCD guidelines are limited to only these two quantifiable measures, ignores transit. It is logical that in order to have an impact on regional emissions, transit service must be provided to the residential end of the trip. For this reason, the mitigation dealing with regional emissions should require that public transit service be provided to the new development, and that transit-oriented development be identified as a means reducing regional emissions.

RESPONSE K-7: MST Route #17 currently passes along Imjin Road, and would already have the potential to serve future residents within the Marina Heights Specific Plan area. However, it would be speculative to make optimistic assumptions regarding

the inclination of future residents within the Specific Plan area to utilize MST Route 17 or other transit service that may ultimately be provided within the Specific Plan area. For this reason, a “worst case” assumption for the purposes of the DEIR air quality analysis would be that there would be no reduction in the anticipated number of daily vehicle trips as a result of transit usage, and this provided the basis for identifying the Specific Plan-related effects on regional air quality as potentially significant and unavoidable. Although the use of transit to replace other vehicle trips could be expected to result in a reduction in vehicle-related pollutants associated with the development of the Specific Plan area, given the established MBUAPCD thresholds of significance and the modeled pollution generated by Specific Plan-related vehicle trips, and the number and type of residential units proposed, unless transit use rates were significantly higher than shown in other residential developments of the type proposed under the Specific Plan, the use of transit would not be expected to provide sufficient pollution abatement to reduce impacts of Specific Plan development on regional air quality to a level of less than significant. The General Plan Consistency Alternative would incorporate features associated with transit-oriented design (i.e., residential density averaging approximately 8 dwelling units per acre, housing built within walking distance of existing MST Route #17, etc.), yet even with a major reduction in the number of housing units proposed and the number of vehicle trips per day, development under this alternative would still be expected to exceed the MBUAPCD significance thresholds for VOC, NO_x and PM₁₀ (see DEIR page 12-9).

Comment K-8: Highway 1, Reservation Road and Del Monte Blvd. Impacts The DEIR uses contribution to traffic impact fees as mitigation for regional facility impacts. However, such monetary contribution is not really mitigation of a traffic impact until such time as a road or transit improvement project is developed, programmed in the Regional, State and Federal Transportation Improvement Programs and constructed. References to monetary contributions being mitigations should be removed.

RESPONSE K-8: Comment noted. Adverse traffic impacts are never fully mitigated until the related improvements that have been identified as measures to mitigate these adverse conditions have been completed and are fully operational. In evaluating traffic impacts associated with the proposed Specific Plan, where such transportation system improvement projects have already been included in the Capital Improvement Program (either for the City of Marina or FORA), and a mechanism has been created to direct fees collected from developers toward the construction of these improvements, the developer’s payment of these fees represents what will be required of the developer in terms of implementing these transportation system improvements. Section 15130 of the CEQA Guidelines indicates that a project’s contribution to a

cumulative impact is considered mitigated with the fair share contribution to a mitigation measure or measures designed to alleviate the cumulative impact.

Comment K-9: In addition, the impact of failing Levels of Service on transit operating time and cost are not addressed. These are real costs to the members of the MST Joint Powers Agency and will require that additional funds be used to simply run the same level of service. One solution will be to incorporate exclusive transit rights of way into new development plans and road plans. This needs to be addressed. It now takes fully 50 minutes one way for buses to circulate on lines 16 – 17, Edgewater-Marina, that connect to Edgewater Transit Exchange, the project area and Marina Transit Station. This development will exacerbate this situation and the traffic analysis should estimate the additional transit time and annual expenses for mitigation.

RESPONSE K-9: It is beyond the scope of the DEIR traffic study to quantify Specific Plan-related impacts to overall transit service in the region. Based on the changes to Baseline Condition intersection levels of service resulting from development of the Specific Plan area as proposed, it does not appear that Specific Plan-related traffic would significantly change vehicle delays at the intersections that were analyzed for this study, with the exception of intersections along Imjin Parkway that provide access to the Specific Plan area. Intersection improvements that will be constructed within the Specific Plan area and that will be constructed by FORA and the City of Marina as described in their Capital Improvement Programs would reduce vehicle delays on the area road network. The most significant increase in transit service would occur with the modification of existing routes to provide service within the Specific Plan area. **RESPONSE K-6**, above, addresses this issue.

Comment K-10: Highway 1 Solutions Each of the peninsula's mayors signed a statement that their cities would evaluate Highway 1 improvements that make use of transit. This was a requirement for the Coastal Consistency determination during the Fort Ord Closure. This is not referenced or followed through upon in the DEIR and needs to be addressed.

RESPONSE K-10: Comment acknowledged. It is beyond the scope of the DEIR's traffic study to analyze Highway 1 improvement alternatives. This is a regional issue and is not project-specific. Transportation studies initiated to identify improvement alternatives for Highway 1 should consider the improvements that enhance transit usage.

17 August 2003

Haywood Norton, Senior Planner
 City of Marina
 City Hall
 211 Hilcrest Ave.
 Marina, CA 93933

Dear Mr. Norton,

This is a letter in response to the Draft EIR on the Marina Heights Specific Plan.

Specific Plan Amendments/General Plan Community Goals/Retail Area

L-1

The Specific Plan proposes amendments that are not consistent with the General Plan. However new developments are supposed to be consistent with the community goals within General Plans. Specifically in the State of California General Plan Guidelines p. 36 it states that amendments to general plans should answer the following question "Is the amendment in the public interest (i.e. it advances community goals, describes a community interest, etc.)?"

As a particular example of this state-wide planning principal not being met, the Specific Plan does not include any commercial/retail development. However the Marina General Plan includes specifically in its community goals (section 1.18, E) that "housing, businesses, and community facilities are within easy walking distances from each other". This is also consistent with the Fort Ord Reuse Plan where it states "in all cases, particular attention will be paid to ensuring that the residential neighborhoods retain or establish special identities and characters, and that they have available a full range of amenities – schools, parks, transit, and shopping – within a convenient and walkable distance." (Design Principal 4, pg. 60). Similarly the Fort Ord Reuse Plan states that "local conveniences within or immediately adjacent to new neighborhoods" (Design Objectives, p. 67). Marina Heights is currently located in an area isolated from Marina's main business district, the future University Villages business district, and it is separated by many blocks (Abrams B housing) and a busy highway (Imjin Rd) from the one grocery store on Fort Ord. This does not meet the goals of being "immediately adjacent" or "walkable" as defined in the documents listed above.

The DEIR states there is not an adequate density of houses to support any commercial development. This ignores the fact that Marina Heights will be embedded within or near several other neighborhoods (Abrams, Preston, Schoonover, and Fredrick's Parks). These neighborhoods are already in need of accessible retail options (currently they must drive 5-8 miles to Marina downtown for these amenities). In particular the close proximity of more than 1000 college students would ensure that a pizza parlor, video store and coffee shop would be well attended.

Number of Homes in Citizens-Initiated Alternative

The Citizens-Initiated Alternative has been misrepresented in the EIR. Although the Citizens Alternative envisions a higher density of homes per acre, the overall number of homes in the Citizens Alternative was expected and should be similar to the Specific Plan. The comments provided by the citizens during the development of this alternative

L-2

were consistent with the General Plan Community Goals. Therefore please reduce the number of homes in the Citizens Alternative to 1050 and provide reanalysis of the vehicle trips per day, water demand and other impacts and benefits that would result from this lower number of homes. If properly analyzed the Citizens Alternative would be the environmentally superior alternative. Below I give some specific examples of how the current analysis in the DEIR is inconsistent with the intent of the Citizens-Initiated Alternative.

The Citizens Alternative offers higher density, small square footage homes in clusters which equates to more affordable homes by design, more rental homes, more park space, more commercial activity and opportunity, more transit opportunities and more schools (both a high school and an elementary). The Citizens Alternative is superior in all these land uses and has a lower impact on the environment than the Specific Plan. The Citizens Alternative is also consistent with the Fort Ord Reuse Plans Optimal Land Use Strategies for Air Quality (pgs. 388-391):

“Integrate the land use strategies of the California Air Resources Board’s The Land Use – Air Quality Linkage – How Land Use and Transportation Affect Air Quality, into local land use decisions.

Program A-3.1: Each jurisdiction shall plan and zone properties, as well as review development proposals to promote the Land Use-Air quality linkage. This linkage includes, but is not limited to, enhancement of Central Business Districts, compact development patterns, residential densities that average above seven dwelling units per acre, clustered employment densities and activity centers, mixed use development, and integrated street patterns.

Program A-3.2: Each jurisdiction shall zone high density residential and employment land uses to be clustered in and near activity centers to maximize the efficient use of mass transit.”

More specifically the Citizens Alternative would provide for fewer vehicle trips per day, lower water demand (afy), greater aesthetics (more trees left, more natural topography due to less grading, more natural habitat left in tact), improved air quality due to lower emissions such as VOC, NO_x, PM₁₀ and CO, more habitat conserved for sensitive species (Monterey spineflower, sand gilia, sandmat manzanita, hooker’s manzanita, Monterey ceanothus, CA legless lizard, coast horned lizard, American badger), sensitive habitat (maritime chaparral, oak woodland) and other natural habitats, and less potable water would be used than the Specific Plan. In addition the Citizens Alternative would lead to lower exposure to hazardous materials due to the elementary school being placed in the northwest corner of the property consistent with the General Plan. The DEIR scores the Specific Plan and the Citizens Initiative as the same based on the assumption of 1500 homes and resulting impacts. Given that the Citizens Alternative was designed to be

consistent with the General Plan then it must have a better score in the Land Use/General Plan category than the Specific Plan which requires numerous amendments. The Citizens Alternative would have a strong emphasis on transit supporting development and a mixed-use village center. (Transit supporting developments are consistent with MBUAPCD, TAMC and MST objectives.) If the number of homes in the Citizens Alternative is reduced from 1500 to 1050 then traffic noise would be somewhat lesser than the Specific Plan due to a decreased number of daily vehicle trips to and from the site. Please rewrite the Public Services/Utilities DEIR pg. 12-19 to match the number of homes planned in the Citizen Alternative. The Citizens Alternative plan when reanalyzed for fewer homes will provide for greater recreational opportunities due to the greater amount of open space that would result from higher density, cluster housing (not a higher number of homes overall). In addition the Citizen's Alternative would provide for greater self-policing because more people will be walking, and there will be more street activity for safer streets. The Citizens Alternative should be revised to be consistent with the General Plan including short block lengths (usually < 350' and rarely exceeding 450') and all cul-de-sacs would have pedestrian connectors. This Citizens Alternative would provide greater circulation for public safety vehicles and transit vehicles. Therefore the Citizen Alternative impact evaluation should reflect a better score than the Specific Plan.

Affordable Housing

L-3

The Specific Plan currently has the affordable housing requirements "off-site". The General Plan requires that every development has no less than 20% affordable housing. Currently only 125 homes are listed as affordable, whereas there should be 210 homes to meet the 20% requirement on 1050 homes.

Special Status Species

L-4

Although Monterey spineflower is shown on the map on the draft EIR pg. 6-9 to be located in smaller areas (42 acres), the text states that spineflower is "widespread throughout the mixed maritime chaparral". On the map on pg. 6-3, the mixed maritime chaparral is shown as being much more extensive than the 42 acres shown on pg. 6-9 (99 acres of chaparral habitat). My own experience as a biologist who lives nearby is that spineflower is likely to occur in more areas than are shown on the map on DEIR pg. 6-9 (and the consultants on this project say the same thing in the DEIR). A more thorough survey of spineflower is still possible this year because this annual plant retains its seeds and looks distinctive even after it has died (although late spring would have been preferable). The EIR is inadequate unless the species surveys are comprehensive. In addition the details of mitigation plans are lacking (such as locations for planting seeds, mitigation ratios, etc.).

Similarly a reconnaissance level survey is inadequate for the state and federally listed sand gilia. The DEIR states that 23 acres are occupied but as many as 56 acres may be occupied. A comprehensive survey is necessary to determine potential impacts to this rare plant. Unfortunately gilia can only be surveyed in the spring since it is an annual plant that has already died this late in the season. Therefore comprehensive surveys would need to be done next spring to determine impacts and mitigation. In addition, this would be the time to also collect seeds for the mitigation planned. Finally, specific

Letter L: Suzanne Worcester, Ph.D., August 17, 2003.

Comment L-1: Specific Plan Amendments\General Plan Community Goals\Retail Area The Specific Plan proposes amendments that are not consistent with the General Plan. However new developments are supposed to be consistent with the community goals within General Plans. Specifically in the State of California General Plan Guidelines p. 36 it states that amendments to general plans should answer the following question "Is the amendment in the public interest (i.e. it advances community goals, describes a community interest, etc.)?"

As a particular example of this state-wide planning principal not being met, the Specific Plan does not include any commercial/retail development. However the Marina General Plan includes specifically in its community goals (section 1.18, E) that "housing, businesses, and community facilities are within easy walking distances from each other". This is also consistent with the Fort Ord Reuse Plan where it states "in all cases, particular attention will be paid to ensuring that the residential neighborhoods retain or establish special identities and characters, and that they will have available a full range of amenities – schools, parks, transit, and shopping – within a convenient and walkable distance." (Design Principal 4, pg. 60). Similarly the Fort Ord Reuse Plan states that "local conveniences within or immediately adjacent to new neighborhoods" (Design Objectives, p. 67). Marina Heights is currently in an area isolated from marina's main business district, the future University Villages business district, and it is separated by many blocks (Abrams B housing) and a busy highway (Imjin Rd) from the one grocery store on Fort Ord. This does not meet the goals of being "immediately adjacent" or "walkable" as defined in the documents listed above.

The DEIR states there is not adequate density of houses to support any commercial development. This ignores the fact that Marina Heights will be embedded within or near several other neighborhoods (Abrams, Preston, Schoonover, and Fredrick's Parks). These neighborhoods are already in need of accessible retail options (currently they must drive 5-8 miles to Marina downtown for these amenities). In particular the close proximity of more than 1000 college students would ensure that a pizza parlor, video store and coffee shop would be well attended.

RESPONSE L-1: Opinion regarding amending the General Plan to accommodate the proposed Specific Plan (particularly with respect to the Specific Plan's absence of commercial activity on-site) is noted. The Draft EIR does not address the economic viability of commercial activity within the Specific Plan area, as it evaluates environmental effects associated with the proposed Specific Plan, and not economic issues. However, the Marina Heights Specific Plan (May 16, 2003) indicates under 5.2.5

Commercial on page 42 that “While it is proposed in the General Plan’s Village Homes designation to allow for limited commercial development, it is not a component of the Marina Heights Specific Plan, Marina Heights Village Homes (MHVH) General Plan designation or the Marina Heights Village Homes (MHVH) zoning designation. It was determined that it would not be economically viable to sustain given the number of residential units, and could negatively impact existing retail on Imjin Road.”

Comment L-2: Number of Homes in Citizen-Initiated Alternative The Citizens-Initiated Alternative has been misrepresented in the EIR. Although the Citizens Alternative envisions a higher density of homes per acre, the overall number of homes in the Citizens Alternative was expected and should be similar to the Specific Plan. The comments provided by the citizens during the development of this alternative were consistent with the General Plan Community Goals. Therefore please reduce the number of homes in the Citizens Alternative to 1050 and provide reanalysis of the vehicle trips per day, water demand and other impacts and benefits that would result from this lower number of homes. If properly analyzed the Citizens Alternative would be the environmentally superior alternative. Below I give some specific examples of how the current analysis in the DEIR is inconsistent with the intent of the Citizens-Initiated Alternative.

The Citizens Alternative offers higher density, small square footage homes in clusters which equates to more affordable homes by design, more rental homes, more park space, more commercial activity and opportunity, more transit opportunities and more schools (both a high school and an elementary). The Citizens Alternative is superior in all these land uses and has a lower impact on the environment than the Specific Plan. The Citizens Alternative is also consistent with the Fort Ord Reuse Plans Optimal Land Use Strategies for Air Quality (pgs 388-391):

Integrate the land use strategies of the California Air Resources Board’s The Land Use – Air Quality Linkage – How Land Use and Transportation Affect Air Quality, into local land use decisions.

Program A-3.1: Each jurisdiction shall plan and zone properties, as well as review development proposals to promote the Land Use-Air quality linkage. This linkage includes, but is not limited to, enhancement of Central Business Districts, compact development patterns, residential densities that average above seven dwelling units per acre, clustered employment densities and activity centers, mixed use development, and integrated street patterns.

Program A-3.2: Each jurisdiction shall zone high density residential and employment land uses to be clustered in and near activity centers to maximize the efficient use of mass transit.

More specifically the Citizens Alternative would provide for fewer vehicle trips per day, lower water demand (afy), greater aesthetics (more trees left, more natural topography due to less grading, more natural habitat left in tact), improved air quality due to lower emissions such as VOC, NO_x, PM₁₀ and CO, more habitat conserved for sensitive species (Monterey spineflower, sand gilia, sandmat manzanita, hooker's manzanita, Monterey ceanothus, CA legless lizard, coast horned lizard, American badger), sensitive habitat (maritime chaparral, oak woodland) and other natural habitats, and less potable water would be used than the Specific Plan. In addition the Citizens Alternative would lead to lower exposure to hazardous materials due to the elementary school being placed in the northwest corner of the property consistent with the General Plan. The DEIR scores the Specific Plan and the Citizens Initiative as the same based on the assumption of 1500 homes and resulting impacts. Given that the Citizens Alternative was designed to be consistent with the general Plan then it must have a better score in the Land Use/General Plan category than the Specific Plan which requires numerous amendments. The Citizens Alternative would have a strong emphasis on transit supporting development and a mixed-use village center. (Transit supporting developments are consistent with MBUAPCD, TAMC and MST objectives.) If the number of homes in the Citizens Alternative is reduced from 1500 to 1050 then traffic noise would be somewhat lesser than the Specific Plan due to the decreased number of daily trips to and from the site. Please rewrite the Public Services/Utilities DEIR pg. 12-19 to match the number of homes planned in the Citizen Alternative. The Citizen Alternative plan when reanalyzed for fewer homes will provide for greater recreational opportunities due to the greater amount of open space that would result from higher density, cluster housing (not a higher number of homes overall). In addition the Citizen's Alternative would provide for greater self-policing because more people will be walking, and there will be more street activity for safer streets. The Citizens Alternative should be revised to be consistent with the General Plan including short block lengths (usually <350' and rarely exceeding 450') and all cul-de-sacs would have pedestrian connectors. This Citizens Alternative would provide greater circulation for public safety vehicles and transit vehicles. Therefore the Citizen Alternative impact evaluation should reflect a better score than the Specific Plan.

RESPONSE L-2: As described in the DEIR, the Citizen-Initiated Alternative would support the development of 1,500 new residential units. In developing the descriptions for each of the hypothetical alternatives to be evaluated in the DEIR, this number of housing units was believed to represent the largest number that the site could accommodate while remaining generally consistent with the concerns expressed by

those attending the February 22, 2003 meeting at which local residents had an opportunity to provide input for the development of a Citizen-Initiated alternative. In defining the Citizen-Initiated Alternative with 1,500 new residential units, lead agency staff and the consultants sought to provide a clear contrast between it and the General Plan Consistency Alternative, as full consistency with the General Plan (and its anticipated number of residential units within the Specific Plan area) would make these two alternative very similar otherwise, and both would leave most of the Specific Plan area undeveloped (see **Figure 12.1** on DEIR page 12-6).

If the number of units to be developed within the Specific Plan area under the Citizen-Initiated Alternative were to be reduced to 1,050, and the corresponding residential densities retained, the column for it in DEIR **Table 12-1** (page 12-20) might appear as follows (subject to variation, due to uncertainty regarding the possible percentages of different housing types):

| | |
|-------------------------|-------|
| Development Acreage | 125 |
| Undeveloped Acreage | 123 |
| Total Residential Units | 1,050 |
| Affordable Units | 210 |
| Rehabilitated Units | 0 |
| Rental Apartments | 168 |
| Townhomes | 102 |
| Detached SF Homes | 720 |
| Estate Homes | 60 |
| Added Population | 2,930 |
| New Students | 735 |
| Vehicle Trips/ Day | 9,760 |
| Water Demand (AFY) | 292.3 |

The corresponding column in DEIR **Table 12-2** (page 12-21) might appear as follows:

| | |
|-------------------------------------|-----------|
| Aesthetics | 1 |
| Air Quality | 3 |
| Biological Resources | 2 |
| Hazardous Materials | 2 |
| Land Use (General Plan Consistency) | 2 |
| Noise | 2 |
| Public Services & Utilities | 2 |
| Recreation | 2 |
| Traffic and Circulation | 2 |
| | |
| Totals | 18 |

Based upon this scoring system, the Citizen-Initiated Alternative with the number of new residential reduced to 1,050 would have the same score as the Specific Plan, the Mitigated Alternative and the Citizen-Initiated Alternative with 1,500 residential units, and the No Project Alternative would remain the “environmentally superior” alternative. In the absence of the No Project Alternative, under this scoring system the General Plan Consistency Alternative would still be considered the “environmentally superior” alternative, because it would require less demolition, would result in less disturbance of biological resources, would generate less traffic, and would have proportionally lower adverse air quality effects due to reduced trip generation relative to the other development alternatives (including a Citizen-Initiated Alternative with 1,050 residential units). This does not mean that the remaining alternatives would have identical environmental effects, even though they received similar scores under the scoring system. As indicated in this comment, a Citizen-Initiated Alternative would have higher residential densities than the proposed Specific Plan, so less of the Specific Plan area would be developed in residential uses. Individual yards would be smaller, and the number of multi-family units would be greater, so there could be some reduction in water demand associated with a 1,050-unit Citizen-Initiated Alternative relative to that associated with the same number of units under Specific Plan. By incorporating transit-oriented development features (higher residential densities, some neighborhood commercial uses, etc.) , a 1,050-unit Citizen-Initiated Alternative could result in some reduction in the anticipated number of daily vehicle trips, with a corresponding reduction in related air pollutants. With 1,050 units, this modified version of the Citizen-Initiated Alternative would still have a significant and unavoidable adverse impact on regional air quality, even if it is somewhat less than that associated with the Specific Plan.

Comment L-3: Affordable Housing The Specific Plan currently has the affordable housing requirements "off-site". The General Plan requires that every development has no less than 20% affordable housing. Currently only 125 homes are listed as affordable, whereas there should be 210 homes to meet the 20% requirements on 1050 homes.

RESPONSE L-3: Opinion noted. As indicated on DEIR pages 1-7 and 1-8, and page 2-24, the proposed Specific Plan provisions for affordable housing do not conform to the Marina General Plan requirements. However, under the terms of the approved Option Agreement, the developer of the Specific Plan area is not obligated to provide any affordable housing within the Specific Plan area.

Comment L-4: Special Status Species Although Monterey spineflower is shown on the map on the draft EIR pg. 6-9 to be located in smaller areas (42 acres), the text states that spineflower is "widespread throughout the mixed maritime chaparral". On the map on pg. 6-3, the mixed maritime chaparral is shown as being much more extensive than the 42 acres shown in pg. 6-9 (pp acres of chaparral habitat). My own experience as a biologist who lives nearby is that spineflower is likely to occur in more areas than are shown on the map on DEIR pg. 6-9 (and the consultants on this project say the same thing in the DEIR). A more thorough survey of spineflower is still possible this year because this annual plant retains its seeds and looks distinctive even after it has died (although late spring would have been preferable). The EIR is inadequate unless the species surveys are comprehensive. In addition the details of mitigation plans are lacking (such as locations for plant seeds, mitigation ratios, etc.).

Similarly a reconnaissance level survey is inadequate for the state and federally listed sand gilia. The DEIR states that 23 acres are occupied but as many as 56 acres may be occupied. A comprehensive survey is necessary to determine potential impacts to this rare plant. Unfortunately gilia can only be surveyed in the spring since it is an annual plant that has already died this late in the season. Therefore comprehensive surveys would need to be done next spring to determine impacts and mitigation. In addition, this would be the time to also collect seed for the mitigation planned. Finally, specific details of the mitigation were not provided in terms of locations where mitigation would occur, mitigation ratios – i.e. 3:1, and other required details based on CEQA.

No mitigation was provided for several other special status species that are likely to occur on the project site including Monterey ceanothus, Eastwood's golden fleece, sandmat and hooker's manzanita, and the coast horned lizard.

Details of mitigation plans need to be provided for legless lizards such as acreage, mitigation ratios, etc.

Finally in the description of the mitigation plans for the roosting bats the word "should" ought to be replaced with the word "shall" throughout to ensure the mitigation measures will be implemented (Mitigation Measure 6.5).

RESPONSE L-4: As indicated in this comment, spineflower is likely to occur in more areas than shown on Figure 6.2 (DEIR page 9), since it is an annual plant that actively colonizes suitable habitat areas and varies in its numbers and distribution in any given year. The reconnaissance-level surveys conducted for the DEIR identified areas where spineflower was observed on the dates of the site visits, and also areas where spineflower could very likely be found through more comprehensive work (i.e., 99 acres of mixed maritime chaparral). Reconnaissance-level surveys were considered adequate for the purposes of CEQA analysis for the Specific Plan based on the assumption that the HMP designates the Specific Plan area for development without restrictions, and provides base-wide mitigation for HMP species and their habitats. Even if, in the absence of comprehensive surveys, a more conservative assumption of impact to spineflower (e.g., 99 acres) is used for the purposes of this analysis, it would not substantially change the conclusions of the EIR. Those conclusions assume that the loss of Monterey spineflower in HMP-designated development areas is mitigated through a set aside and management of HMP-designated habitat reserve area in other parts of the former Fort Ord. Pre-construction seed salvage was recommended as an additional mitigation in conformance with the relevant sections of the Marina General Plan. No mitigation ratios were necessary, and general guidance for appropriate use of salvaged seed was provided.

The discussion related to Monterey spineflower in the previous paragraph also applies to the portion of the comment related to sand gilia, with one exception. San gilia is a state-listed species for which the California Department of Fish and Game requires formal take authorization. Thus, even though the HMP mitigates for the loss of this species in the same manner that it mitigates for the loss of other HMP species, the DEIR identifies the need to obtain take authorization from CDFG as a separate mitigation measure. The DEIR assumes that follow-up comprehensive surveys and the development of detailed mitigation plans for gilia (e.g., locations, mitigation ratios, etc.) would result from negotiations with CDFG.

As indicated above, mitigation for HMP species and their habitats would be provided base-wide through implementation of the HMP. Therefore, mitigation for Monterey ceanothus, Eastwood's golden fleece, sandmat, and Hooker's manzanita, the coast

horned lizard and black legless lizard is provided through the base-wide mitigation plan, which establishes approximately 16,000 acres of habitat reserves and 400 additional acres of connecting habitat corridors in other areas of the former Fort Ord.

Mitigation Measure 6.3 (DEIR page 6-17) was provided to avoid or minimize harm to individual black legless lizards during construction. A similar measure for coast horned lizard was not deemed necessary, since these lizards are much more mobile and can move out of harm's way.

In response to this comment, the text of **Mitigation Measure 6.5** on DEIR page 6-19 has been modified to read as follows:

Mitigation 6.5: Pre-Construction Surveys/Avoidance of Maternity Roosts. Prior to building demolition, a qualified biologist ~~should~~ shall survey the buildings for presence of bats. If special-status species are present, the following measures should be implemented:

- Demolition shall not occur when maternity roosts are present.
- No construction within 300 feet will be permitted until any young bats are fledged.
- The contractor ~~should~~ shall obtain a Memorandum of Understanding (MOU) with the California Department of Fish and Game (CDFG) in order to remove listed bat species. Alternate habitat may need to be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics ~~should~~ shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist ~~should~~ shall prepare and implement a relocation plan subject to approval by CDFG that includes relocating all bats found on-site to an alternate suitable habitat.

Comment L-5: Maintaining Trees on the Site The Specific Plan calls for removing the current trees on the site. This is inconsistent with the General Plan Community Land Use Policy 4.122 "Oak woodland shall be protected to the greatest extent possible in recognition of its relatively high biological and aesthetic value". It is also inconsistent with Community Goal 1.18 B "Community development which avoids or minimizes to the greatest extent possible the consumption or degradation of non-renewable resources including natural habitat..."

FEIR needs to better address the standard of living for adjacent residents relative to construction related noise seven days a week.

Citizens Alternative:

M-5

The Citizen's Alternative has housing numbers way in excess of anything any advocate for such a scenario imagined or desired. The Citizen's Alternative should have housing numbers similar to the proposed Specific Plan, 1050 units, but should advocate the following: higher density, elementary school location as stated in the GP, high school site acreage consistent with the GP, and smaller unit foot prints for single detached homes.

Respectfully,

A handwritten signature in black ink, appearing to read "Grace Silva-Santella", written over a horizontal line.

Grace Silva-Santella
831.883.1861

Letter M: Grace Silva-Santella, 8/17/03

Comment M-1: Growth Management Ordinance and Housing Availability Ordinance referred to in the Marina General Plan (section 5.8 & 5.9). The Marina Heights Specific Plan requests exemptions from these GP programs. Further, the Marina Heights DEIR refers to no growth inducing impacts in the project area because the "city has planned for the ultimate development of the Specific Area, and the lands within and surrounding the Specific Area are already largely developed and previously supported a population of military families while the former Fort Ord was in active use."

Intent of the jobs/housing link as stated in the Housing Availability Ordinance is "to promote a balance of jobs and housing and related objectives of the General Plan aimed at reducing the effects of commuting in terms of traffic congestion, air pollution, energy consumption, and community life..." The FEIR needs to thoroughly analyze this project relative to residential development proceeding absent of any jobs/housing link.

Relative to the reference that this is an area that previously supported a population, during the FORA Base Reuse Plan hearings much consideration was given to the type of development a military base is in that it is a self contained city providing employment, shopping and entertainment within its boundaries thus limiting any need for vehicle trips outside the development area. In determining "growth inducing impacts, the FEIR should make a comparison between a former military base residential area and a city residential development developed with no job creation link.

The developer has argued that construction related jobs necessary for the project would in part satisfy the jobs/housing link language. The intent of the jobs/housing link program was not in reference to temporary construction related jobs.

RESPONSE M-1: Opinions regarding the intent of the Marina General Plan's policy on jobs/housing linkage and the definition of which type of jobs would be consistent with this policy are noted. As indicated in the DEIR, the Specific Plan does not provide any commercial, industrial or other employment-generating land uses within the Specific Plan area, although the Specific Plan indicates that temporary jobs would be provided on-site during the construction period, and that individual homes would include infrastructure to enable home-based employment. As the DEIR evaluates the environmental impacts that may be associated with the Specific Plan as proposed, it does evaluate the anticipated environmental effects of development of the Specific Plan area in the absence of any jobs/housing link, and this is reflected in the estimated trip generation values, air quality analysis, and other topic areas. As indicated in this comment, the provision of long-term employment-generating land uses within the

Specific Plan area could be expected to result in some reduction in the number of vehicle trips generated if some of those living within the Specific Plan area were also working at jobs created within the Specific Plan area (if it were to be developed with such land uses). However, the City of Marina has not established a formal mechanism that would require residential developers to provide long-term employment-generating land uses within the areas that they propose to develop as a way to implement the General Plan policy linking future housing development to job creation. As correctly stated in this comment, development of the Specific Plan area as proposed does not conform to General Plan policies related to enhancing the balance between jobs and housing within Marina, and the Project Applicant has requested amendment of the General Plan to enable development of the Specific Plan area as proposed (see DEIR page 2-30).

The central question to be answered in the evaluation of “growth-inducing impacts” in the DEIR is: Would the implementation of the Specific Plan as proposed result in (or encourage) development in areas where development has not been anticipated, or in areas where development would not otherwise occur in the absence of the Specific Plan? As indicated in the DEIR, the Specific Plan area was developed as a military housing area by the U.S. Army while Fort Ord was an active military installation. Development of the Specific Plan area would result in the replacement of the existing development with a new development, but would not result in the development of any undeveloped areas. While the character of the active Fort Ord, its housing areas and travel patterns were different than what would be anticipated with development under the Specific Plan, the portion of the former Fort Ord now identified as the Specific Plan area is a developed area, and not an undeveloped area. The infrastructure improvements proposed under the Specific Plan would serve the Specific Plan area, and would not be extended to other, undeveloped areas to support future growth elsewhere. The Marina General Plan and the FORA Base Reuse Plan both anticipate future development of the Specific Plan area. For these reasons, the DEIR indicates that the implementation of the Specific Plan as proposed would not entail any growth-inducing impacts. This is not to say that the environmental impacts associated with the implementation of the Specific Plan as proposed might not be greater than the environmental impacts associated with other possible development patterns that would include land uses intended to provide a balance between residential development and employment-generating land uses on-site, or greater than the environmental impacts that might be anticipated if there were a formal mechanism to link the creation of housing with the creation of jobs elsewhere within Marina.

Comment M-2: Tree Preservation: Tree removal should be analyzed on a cumulative level based on the combined projects anticipated for this area of former Fort Ord: Marina Heights, Cypress Knolls, and West/North University Villages. Additionally, the FEIR should state the feasibility and mechanism available to box and preserve large numbers of existing trees on site prior to grading.

The DEIR has no listing of tree species and numbers and no count of trees to be removed. Without such data it is impossible for the DEIR to conclude that there will be no substantial adverse impact on a scenic vista or no substantial degradation of the existing visual character.

Finally, the DEIR speaks to “no impact on a designated scenic vista”. The FEIR should explain how in CEQA language the term “designated” applies.

RESPONSE M-2: See **RESPONSE A-1**, above, related to the anticipated loss of trees within the Specific Plan area associated with implementation of the Specific Plan.

From a technological standpoint, there is no physical limitation on the boxing of existing trees within the Specific Plan area for replanting as part of the landscaping of the site after construction of the proposed residential units and supporting infrastructure. However, depending on the number of trees to be boxed, maintained between the period of boxing and replanting, and replanted on-site, the expense involved could render this financially infeasible for the Project Applicant. The Project Applicant has not provided the City with any plan to box and replant existing trees now located within the Specific Plan area.

Although the CEQA Guidelines do not use the qualifier “designated” in addressing issues related to scenic vistas or scenic resources, since the identification of a “scenic vista” may vary from one individual to the next, the DEIR relies on local policies to identify scenic vistas acknowledged by the City of Marina. Although the City of Marina has not formally identified any scenic vistas, the Marina General Plan includes the following policy language in addressing “Scenic and Cultural Resources” that provides some indication of what might be considered “scenic vistas” in Marina: “3. The visual character and scenic resources of the Marina Planning Area should be protected for the enjoyment of current and future generations. To this end, ocean views from Highway 1 should be maintained to the greatest possible extent; development on the primary ridgeline of the Marina dunes shall be avoided; new development proposed for the Armstrong Ranch shall maintain an adequate setback from Highway 1; landscape screening and restoration shall be provided as appropriate; the scenic views of inland hills from Highway 1, Reservation Road, and Blanco Road

should be retained; and architectural review of projects shall continue to be required to ensure that building design and siting, materials, and landscaping are visually compatible with the surrounding area.” Nothing in this General Plan section suggests that the view of the Specific Plan area from any viewpoint represents a “scenic vista”. In the absence of a definition of “scenic vista” that is accepted universally, the DEIR relies on Marina planning policies to identify scenic vistas to determine whether development of the Specific Plan area as proposed would have a substantial adverse effect on a scenic vista or not.

Comment M-3: Commercial Node: The Planning Commission in their discussion on the Urban Growth Boundary And Other Amendments To The General Plan Alternatives and Issues Report have expressed a desire to see small commercial nodes adjacent to new residential areas. The proponents of Marina Heights have stated that a commercial node in Marina heights would be financially infeasible given the small population numbers of the development, and commercial needs of the area will be met by the existing and future commercial activities on the south side of Imjin Rd. The FEIR should analyze additional vehicle trips residents in marina Heights will make to access a commercial development on the south side of Imjin Rd. given that Imjin Rd. is designed as a four lane arterial with year 2020 ADT volume of 28,600. This analysis should be compared to impacts of a commercial node within the project site boundaries. In addition analysis should be made of the additional vehicle trips existing adjacent Marina residents will make to a south side commercial development versus a commercial development within the site. This analysis should also include usage of students coming from future high school site adjacent to the property.

Further, the FEIR should analyze the positive environmental impacts a commercial node in the project area will have on the combined existing developed Marina residential area and the proposed project.

RESPONSE M-3: Comment referring to the desire of the Planning Commission regarding the inclusion of a commercial node within the Marina Heights Specific Plan area, and request for additional traffic analysis related to the inclusion of a commercial node within the Specific Plan area are noted. The DEIR evaluates the anticipated environmental effects associated with the implementation of the Specific Plan as proposed, and as correctly indicated in this comment, the Specific Plan does not include any commercial land uses. The Marina Heights Specific Plan (May 16, 2003) indicates under 5.2.5 Commercial on page 42 that “While it is proposed in the General Plan’s Village Homes designation to allow for limited commercial development, it is

not a component of the Marina Heights Specific Plan, Marina Heights Village Homes (MHVH) General Plan designation or the Marina Heights Village Homes (MHVH) zoning designation. It was determined that it would not be economically viable to sustain given the number of residential units, and could negatively impact existing retail on Imjin Road.” The traffic analysis presented in the DEIR incorporates trips associated with the existing Ord Market across Imjin Road from the Specific Plan area under existing, baseline, and cumulative (2020) conditions. The addition of one or more commercial nodes within the Specific Plan area would be expected to change this analysis, as the analysis is keyed to the development of the Specific Plan area as proposed. While two of the alternatives evaluated in the DEIR include limited neighborhood-serving commercial uses, specific node locations were not identified, and a detailed analysis of the traffic effects associated with these two alternatives (or other possible alternatives that identify specific commercial nodes) is beyond the scope of the DEIR. As this comment seems to suggest, it may be reasonable to assume that the inclusion of one or more commercial nodes within the Specific Plan area could result in a reduction in vehicle trips originating from within the Specific Plan area, and such commercial uses could serve those living in areas adjacent to the Specific Plan area as well. However, as such uses have not been proposed as part of the Specific Plan, this analysis has not been conducted as part of the EIR process.

Comment M-4: Noise: There appears to be no recommended limits on hours of construction to address noise issues for existing adjacent Marina residents. When the Marina Landing Shopping Center was built conditions of approval had limits to days of the week and hours (no construction on Saturday and Sunday and limits to start and end times). These limits were more restrictive than what is currently allowed within the city’s noise ordinance (in essence seven days a week of construction beginning at 7 AM except 9 AM Sundays). The FEIR needs to better address the standard of living for adjacent residents relative to construction related noise seven days a week.

RESPONSE M-4: Comment noted. According to the DEIR, construction noise levels are capable of being mitigated to a level of less than significant. The City of Marina has established the following standards that limit construction hours to reduce the effects of construction noise:

15.04.055 Construction hours and noise. Unless performing emergency work as defined in Section 15.04.010, it is unlawful for any person with the city to conduct any outside construction, repair work or related activities requiring a building, grading, demolition, use or other permit from the city when

construction noise is produced adjacent to residential uses, including transient lodging, except between the hours of seven a.m. and seven p.m. (standard time), and on Sundays and holidays between the hours of ten a.m. and seven p.m. (standard time). During daylight savings time, the hours of construction may be extended one hour to eight p.m. For the purposes of this section, "holidays" shall include New Year's Day, July 4th, Thanksgiving and Christmas. However, during the hours of construction, no construction, tools or equipment shall produce a decibel level of more than sixty decibels for twenty-five percent of an hour at any receiving property line. (Ord 87-2 Section 2, 1987)

Comment M-5: Citizens Alternative: The Citizen's Alternative has housing numbers way in excess of anything any advocate for such a scenario imagined or desired. The Citizen's Alternative should have housing numbers similar to the proposed Specific Plan, 1050 units, but should advocate the following: higher density, elementary school location as stated in the GP, high school site acreage consistent with the GP, and smaller foot prints for single detached homes.

RESPONSE M-5: Opinion regarding the definition of the Citizen-Initiated Alternative is noted. See **RESPONSE L-2**, above, related to the anticipated environmental effects that may be associated with a modified version of the Citizen-Initiated Alternative presented in the DEIR.



PRESTON PARK TENANTS ASSOCIATION

Haywood Norton, Senior Planner
 City of Marina
 211 Hillcrest Ave.
 Marina, CA 93933

August 18, 2003

Dear Mr. Norton,

I have read the Marina Heights Draft Environmental Impact Report (MHDEIR) on the Specific Plan, N-1 and although it is an extensive document, I found that it does not identify a number of important impacts that require mitigation and mitigation measures for identified impacts are, in some instances, inadequate.

In addition, the evaluation of the "Citizens Alternative" environmental impact is fundamentally flawed by the misrepresentation in Table 12-1 (Comparison of Specific Plan and Alternatives) of the "Total Residential Units" as 1500 and its derivative data. Simply put, higher density does not mean more homes; it does mean clustered village homes taking up a smaller "footprint" of land and other resources. Higher density will create additional open space and leave room for commercial development that will become the foundation for the required jobs/housing balance.

The Specific Plan is not consistent with the General Plan and the Fort Ord Base Reuse Plan (FOBRP) in a number of areas. Rather than strive to redesign the General Plan to accommodate the applicant's Specific Plan, the Specific Plan should be amended to conform to the FOBRP, the Marina General Plan and the Community Goals contained therein.

Lack of Commercial Node(s)

N-2

The Marina Heights project is situated far from the City of Marina business district and the planned University Villages business district. The only nearby store is Ord Market which, in addition to being located across a busy highway, is insufficient to serve the combined needs of Marina Heights in addition to Preston, Abrams, Schoonover and Fredrick Parks. These neighborhoods need, and could sustain, commercial services - and the City needs the sustenance of the sales tax revenues derived from those commercial enterprises.

The Marina General Plan Community Goals states "housing, businesses, and community facilities are within easy walking distances from each other" (Section 1.18 E). Similarly, the FOBRP Design Principal Four states that residential neighborhoods will **"...have available a full range of amenities - schools, parks, transit, and shopping - within a convenient and walkable distance."** The FOBRP also states in its "Design Objectives (Section 3.1.2) that local conveniences should be **"within or immediately adjacent to new neighborhoods."**

The only such “convenience” is Ord Market and Marina Height residents would have to cross a highway on foot drive to shop at the market. This would decrease pedestrian safety and increase vehicle trips, adding to traffic and its related noise, and decreasing air quality. Once in their vehicles, residents will be more likely drive to shopping and services outside of the City and the City would lose sales tax revenue to other jurisdictions.

The increased vehicle trips will also compromise air quality, require more frequent and costly road repair, encourage sedentary habits amongst our citizens and increase traffic accidents that cause personal injuries and property losses.

Noise Impact on Existing Residences

N-3

Section 5 (NOISE) indicates that for Location #3 (Preston Park) measurements were taken of the Community Noise Equivalent Level (CNEL) at the Preston Park Sports Arena “on goal posts of a playing field atop a knoll.” Although it refers to the “relatively high wind conditions of 15 knots”, it does not explain the effect of these winds on the actual CNEL and DNL measured results of 54dB. Did the winds have the effect of increasing the measured dB, thereby skewing the analysis of the CNEL/DBL?

In addition, approximately 137 residences in Preston Park, or 39% of all Preston Park residences, are on the downside (bordered by Preston Drive, Imjin Road, Reservation Road and Brown Court) of the knoll from where the monitor was located. Because this area of Preston Park may regularly register a lower CNEL than the one taken atop the playing field, additional measurements should be required in the Arnold/Landrum/Brown Courts section of Preston Park. A lower CNEL would mean that residences on those streets could experience the increased noise levels from demolition, grading and construction as more intrusive and disruptive than the residences that are located adjacent to the playing field that regularly experience a CNEL of 54dB.

Disturbance and Destruction of Animal and Insect Habitat and Resultant Migration to Nearby Residences

N-4

Although the MHDEIR identifies “Special-Status Species” and “Impacts and Mitigation Measures,” in its “Biological Resources” section, it fails to identify common animal and insect species present, such as ground squirrels, gophers, ants, spiders, snakes, etc that will be disturbed by the demolition, grading and construction processes.

During the major (re) construction of the playing field, now known as “Preston Park Sports Arena”, households in Preston Park were invaded by critters and varmints as soon as the construction was underway. The presence of these creatures in Preston Park households has not yet dropped to the levels that existed before the park’s construction. In addition to the noise and dirt, our residents had to undertake extermination measures, increasing resident’s – adults, children and pets- exposure to harmful poisons and chemicals.

A study needs to be done to determine what the impact of an “exodus” of common animals and insects would be on nearby existing residences (i.e. Preston Park, Abrams Park, Salinas Avenue, Bayer Avenue), and what steps will be taken to mitigate the exodus and its impact(s).

School Site –Traffic Patterns and Exposure to Hazards

The Specific Plan's school site is unacceptable for the following reasons:

- (1) It is directly adjacent to high traffic on Imjim Road and
- (2) The site poses the risk of school children's exposure to hazardous compounds from Landfill OU2 gases, the capped landfill south of Imjin Road, and OE. Because of rapid cell growth and cell replacement, children are more at risk for short and long-term effects when exposed to hazardous material than are adults. Placing a school at the applicant's proposed site will unnecessarily push the "risk meter" up for our children.

The General Plan preferred school site is superior for the above reasons and because it will be more accessible to other residents of Marina due to a more "central" location.

Police and Fire Protection

The Draft EIR identifies the increased demand for Public Safety Department (PSD) services but it fails to present adequate mitigations measures. The current average emergency response time is eight minutes - four minutes after collapse from smoke inhalation, two minutes after brain cell death occurs and four minutes after a structure is lost to what is termed "flashover."

The only mitigation measure offered is the payment of impact fees. That is an inadequate mitigation measure because:

- (1) The City has recently capped those fees,
- (2) The City has no formula for allocating those capped fees,
- (3) It is not yet known what the costs will be of building, equipping and staffing of additional police and fire stations and
- (4) Appropriate placement of proposed substations that will serve the project and surrounding neighborhoods have yet to be determined by the PSD.

Independent of the impact fees, it is reasonable to require the applicant to provide resources - funding, building(s), land set aside(s), renovation of existing building(s)- for, at minimum, a police substation within the community that integrates a small police/government substation into the neighborhood. This is consistent with the PSD community policing policy and would have an overall positive impact on crime in the immediate and surrounding neighborhoods.

Citizens Alternative - Analysis and Scoring

The Citizens Alternative is consistent with both the Marina General Plan and the Fort Ord Base Reuse Plan. The comments provided by the citizens that ultimately constituted the "Citizen Alternative" were consistent with the General Plan Community Goals and did not call for the 1500 homes as stated in the Draft EIR. This enormous variance in the number of units skews the analysis and renders invalid the conclusions as to the Citizens Alternative potential impacts.

The analysis (Table 12-1) and scoring (Table 12-2) of the Citizens Alternative should be recalculated based on 1050 units, clustered homes with less square footage, as was actually proposed. With accurate

representation of the Citizens Alternative's higher density, the resultant analysis will, in comparison to the Specific Plan,

- (1) Reduce the demand on the water resources
- (2) Reduce of vehicle trips per day resulting in better air quality, as per the Fort Ord Reuse Plans "Optimal Land Use Strategies for Air Quality, " Program A-3.
- (3) Provide additional park/green space,
- (4) Leave land for commercial sites (in compliance with the General Plan), and
- (5) Provide for a high school located on the General Plan preferred site

If reanalyzed with an accurate representation of the number, density, and design of homes, the purported environmental impacts suggested by the current analysis of the Citizens Alternative in the Marina Heights Draft EIR will be dramatically reduced and provide an overall score superior to that of the Specific Plan.

Affordable Housing

N-8

The Specific Plan fulfills the affordable housing requirement with "off-site" housing, "off-site" meaning existing development. Therefore, the Specific Plan does not adequately provide for the affordable housing in its new development. The Citizens Alternative, with clustered village homes would fulfill the General Plan requirement because there would be more home ownership opportunities through design. This "affordable by design" community will have fewer environmental impacts because it will be transit and pedestrian friendly, preserve open space, and encourage less reliance on the automobile thereby creating fewer impacts on infrastructure.

Trees

N-9

The clear cutting of existing, established trees that require no additional water is inconsistent with the General Plan that states "**Oak woodland shall be protected to the greatest extent possible in recognition of its relatively high biological and aesthetic value**".

There is no measure that can mitigate the removal of the non-consumptive trees that are of "high biological and aesthetic value."

Thank you for considering my comments in this revision process and for your commitment to, and hard work for, this City.

Respectfully,



Paula F. Pelot, Chairperson
Preston Park Tenants Association
728 Landrum Court
Marina, CA 93933

Letter N: Paula F. Pelot, Preston Park Tenants Association, 8/18/03.

Comment N-1: I have read the Marina Heights Draft Environmental Impact Report (MHDEIR) on the Specific Plan, and although it is an extensive document, I found that it does not identify a number of important impacts that require mitigation and mitigation measures for identified impacts are, in some instances, inadequate.

In addition, the evaluation of the "Citizens Alternative" environmental impact is fundamentally flawed by the misrepresentation in Table 12-1 (Comparison of Specific Plan and Alternatives) of the "Total residential Units" as 1500 and its derivative data. Simply put, higher density does not mean more homes; it does mean clustered village homes taking up a smaller "footprint" of land and other resources. Higher density will create additional open space and leave room for commercial development that will become the foundation for the required jobs/housing balance.

The Specific Plan is not consistent with the General Plan and the Fort Ord Base Reuse Plan (FOBRP) in a number of areas. Rather than strive to redesign the General Plan to accommodate the applicant's Specific Plan, the Specific Plan should be amended to conform to the FOBRP, the Marina General Plan and the Community Goals contained therein.

RESPONSE N-1: Comment regarding unspecified inadequacies of the DEIR is noted.

See **RESPONSE L-2**, above, regarding the environmental effects that may be associated with a modified version of the DEIR's Citizen-Initiated Alternative. Although the Citizen-Initiated Alternative (as defined in the DEIR) would provide for some limited neighborhood-serving commercial uses, it would not include major commercial development that would generate sufficient jobs to create a major shift in the local jobs/housing balance, as the Specific Plan area has been designated for residential development, rather than extensive commercial or industrial development.

Comment N-2: Lack of Commercial Node(s) The Marina Heights project is situated far from the City of Marina business district and the planned University Villages business district. The only nearby store is Ord Market which, in addition to being located across a busy highway, is insufficient to serve the combined needs of Marina heights in addition to Preston, Abrams, Schoonover and Fredrick Parks. These neighborhoods need, and could sustain, commercial services – and the City needs the sustenance of the sales tax revenues derived from those commercial enterprises.

The Marina General Plan Community Goals states "housing, Businesses, and commercial facilities are within easy walking distance from each other" (Section 1.18 E). Similarly, the FOBRP Design Principal Four states that residential neighborhoods will "...have available a full range of amenities – schools, parks, transit, and shopping – within a convenient and walkable distance." The FOBRP also states in its "Design Objectives (Section 3.1.2) that local conveniences should be "within or immediately adjacent to new neighborhoods."

The only such "convenience" is Ord Market and Marina Heights residents would have to cross a highway on foot drive to shop at the market. This would decrease pedestrian safety and increase vehicle trips, adding to traffic and its related noise, and decreasing air quality. Once in their vehicles, residents will be more likely to drive to shopping and services outside of the City and the City would lose tax revenue to other jurisdictions.

The increased vehicle trips will also compromise air quality, require more frequent and costly road repair, encourage sedentary habits amongst our citizens and increase traffic accidents that cause personal injuries and property losses.

RESPONSE N-2: Opinion related to the ability of the future population within the Specific Plan area and the existing population in adjacent areas to support additional commercial development within the Specific Plan area is noted. As the traffic analysis presented in the DEIR evaluates the anticipated traffic generated following development of the Specific Plan area as proposed (without commercial nodes within the Specific Plan area), it incorporates vehicle trips to the existing Ord Market, and the total number of daily Specific Plan-related trips carries over into the air quality analysis. Although this comment indicates an expectation that the inclusion of one or more commercial nodes within the Specific Plan area could reduce vehicle trips and not compromise air quality to the extent associated with the Specific Plan, as the DEIR evaluates the anticipated environmental effects associated with the Specific Plan as proposed, evidence to support this assertion is not provided in the DEIR.

Comment N-3: Noise Impact on Existing Residences Section 5 (NOISE) indicates that for Location #3 (Preston park) measurements were taken of the Community Noise Equivalent Level (CNEL) at the Preston park Sports Arena "on goal posts of a playing field atop a knoll." Although it refers to the "relatively high wind conditions of 15 knots", it does not explain the effect of these winds on the actual CNEL and DNL measured results of 54dB. Did the winds have the effect of increasing the measured dB, thereby skewing the analysis of the CNEL/DBL?

In addition, approximately 137 residences in Preston Park, or 39% of all Preston Park residences, are on the downside (bordered by Preston Drive, Imjin Road, reservation Road and Brown Court) of the knoll from where the monitor was located. Because this area of Preston park may regularly register a lower CNEL than the one taken atop the playing field, additional measurements should be required in the Arnold/Landrum/Brown Courts section of Preston park. A lower CNEL would mean that residences on those streets could experience the increased noise levels from demolition, grading and construction as more intrusive and disruptive than the residences that are located adjacent to the playing field that regularly experience a CNEL of 54dB.

RESPONSE N-3: Wind speeds of 15 knots represent typical daytime conditions in the Preston Park Sports Arena. The nighttime wind speeds slow down significantly as represented by the lower nighttime noise levels in the measurement data presented in the Draft EIR. Thus, the wind noise does contribute to the measured noise levels and is accurately portrayed in the CNEL/DNL. While wind noise may be slightly reduced at the residences located on the downside of the knoll from where the measurement was taken, the difference between noise levels on the hillside to those atop the knoll should be negligible and additional study should not be necessary.

Comment N-4: Disturbance and Destruction of Animal and Insect Habitat and Resultant Migration to Nearby Residences Although the MHDEIR identifies “Special-Status Species” and “Impacts and Mitigation Measures,” in its “Biological Resources” section, it fails to identify common animal and insect species present, such as ground squirrels, gophers, ants, spiders, snakes, etc that will be disturbed by demolition, grading and construction processes.

During the major (re) construction of the playing field, now known as “Preston Park Sports Arena”, households in Preston park were invaded by critters and varmints as soon as the construction was underway. The presence of these creatures in Preston Park households has not yet dropped to the levels that existed before the park’s construction. In addition to the noise and dirt, our residents had to undertake extermination measures, increasing resident’s – adults, children and pets – exposure to harmful poisons and chemicals.

A study needs to be done to determine what the impact of an “exodus” of common animals and insects would be on nearby existing residences (i.e. Preston Park, Abrams Park, Salinas Avenue, Bayer Avenue), and what steps will be taken to mitigate the exodus and its impact(s).

RESPONSE N-4: As indicated in the discussion of Significance Criteria on DEIR page 6-13, the focus of the DEIR's analysis of Specific Plan-related effects on wildlife is on special-status species, and not on common animal species that do not warrant special protection. However, if the movement of rodents, insects and other pests in the area during construction is perceived to be a potential problem, the City of Marina may wish to include specific pest control measures or monitoring requirements as a condition of Specific Plan approval. If construction activity results in the movement of pests from the Specific Plan area to adjacent areas, then those with such complaints would be advised to contact the Monterey County Health Department (Division of Environmental Health - Vector Control), which would then evaluate the situation to determine if it presents a threat to public health. If it does, the County may require the developer to take action to reduce or eliminate this problem. If it does not, those affected would be responsible for addressing the situation on their property. (Telephone conversation with John Hodges, Monterey County Health Department on September 15, 2003)

Comment N-5: School Site – Traffic Patterns and Exposure to Hazards The Specific Plan's school site is unacceptable for the following reasons:

- (1) It is directly adjacent to high traffic on Imjin Road and*
- (2) The site poses the risk of school children's exposure to hazardous compounds from landfill OU2 gases, the capped landfill south of Imjin Road, and OE. Because of rapid cell growth and cell replacement, children are at more risk for short and long-term effects when exposed to hazardous material than are adults. Placing a school at the applicant's proposed site will unnecessarily push the "risk meter" up for our children.*

The General Plan preferred school site is superior for the above reasons and because it will be more accessible to other residents of Marina due to a more "central" location.

RESPONSE N-5: Opinion regarding the proposed location of a future elementary school site is noted. As indicated in the DEIR, decisions regarding the location of schools in the Marina area rests with the Monterey Peninsula Unified School District (MPUSD). When MPUSD proposes the construction of a new elementary school in the Marina area, it is responsible for evaluating the suitability of each possible site before selecting a location for a new school. Although the Specific Plan identifies a potential school site and would result in placing residential development on a site that has been identified to support a possible future elementary school in the Marina

General Plan Land Use Map, the construction of an elementary school is not proposed as part of the Specific Plan.

Comment N-6: Police and Fire Protection The Draft EIR identifies the increased demand for Public Safety Department (PSD) services but it fails to present adequate mitigations measures. The current average emergency response time is eight minutes – four minutes after collapse from smoke inhalation, two minutes after brain cell death occurs and four minutes after a structure is lost to what is termed “flashover.”

The only mitigation measure offered is the payment of impact fees. This is an inadequate mitigation measure because:

- (1) The City has recently capped those fees,*
- (2) The City has no formula for allocating those capped fees,*
- (3) It is not yet known what the costs will be of building, equipping and staffing of additional police and fire stations and*
- (4) Appropriate placement of proposed substations that will, serve the project and surrounding neighborhoods have yet to be determined by the PSD.*

Independent of the impact fees, it is reasonable to require the applicant to provide resources – funding, building(s), and set aside(s), renovation of existing building(s) – for, at a minimum, a police substation within the community that integrates a small police/government substation into the neighborhood. This is consistent with the PSD community policing policy and would have an overall positive impact on crime in the immediate and surrounding neighborhoods.

RESPONSE N-6: Opinion regarding the adequacy of the payment of fees as mitigation for Specific Plan-related effects on the City’s Public Safety Department, and suggestion of the additional public-safety-related requirements that should be placed on the Project Applicant are noted. Under the terms of the approved Option Agreement with the City of Marina, the Project Applicant is responsible to pay only those fees identified within the Option Agreement, which can then be used by the City as indicated in the Option Agreement. In negotiating the Option Agreement, the City determined that the payment of these fees would represent the developer’s “fair share” of the costs associated with the provision of public safety services within Marina.

Comment N-7: Citizens Alternative – Analysis and Scoring The Citizens Alternative is consistent with both the Marina General Plan and the Fort Ord Base Reuse Plan. The comments provided by the citizens that ultimately constituted the “Citizens Alternative” were consistent with the General Plan Community Goals and did not call for the 1500 homes as stated in the Draft EIR. This enormous variance in the number of units skews the analysis and renders invalid the conclusions as to the Citizens Alternative potential impacts.

The analysis (Table 12-1) and scoring (Table 12-2) of the Citizens Alternative should be recalculated based on 1050 units, clustered homes with less square footage, as was actually proposed. With accurate representation of the Citizens Alternative’s higher density, the resultant analysis will, in comparison to the Specific Plan,

- (1) Reduce the demand on the water resources*
- (2) Reduce of vehicle trips per day resulting in better air quality, as per the Fort Ord Reuse Plans “Optimal Land Use Strategies for Air Quality,” Program A-3*
- (3) Provide additional park/green space,*
- (4) Leave land for commercial sites (in compliance with the General Plan), and*
- (5) Provide for a high school located on the General Plan preferred site*

If reanalyzed with an accurate representation of the number, density, and design of homes, the purported environmental impacts suggested by the current analysis of the Citizens Alternative in the Marina heights Draft EIR will be dramatically reduced and provide an overall score superior to that of the Specific Plan.

RESPONSE N-7: See RESPONSE L-2, above, which addresses issues associated with a modified version of the DEIR’s Citizen-Initiated Alternative. RESPONSE L-2 also discusses scoring a modified Citizen-Initiated Alternative relative to the Specific Plan.

Comment N-8: Affordable Housing The Specific Plan fulfills the affordable housing requirement with “off-site” housing, “off-site” meaning existing development. Therefore, the Specific Plan does not adequately provide for the affordable housing in its new development. The Citizens Alternative, with clustered village homes would fulfill the General Plan requirement because there would be more home ownership opportunities through design. This “affordable by design” community will have fewer environmental impacts because it will be transit and pedestrian friendly, preserve open space, and encourage less reliance on the automobile thereby creating fewer impacts on infrastructure.

Comment O-3: The DEIR makes reference to comprehensive traffic calming measures which would include Specific Plan features meant to reduce the need for automobile trips (page 3-53). TAMC urges that these proposed features of the Marina heights project be coupled with the transit and pedestrian-supportive minimum density requirement in the Marina General Plan as an alternative means for reducing automobile trips while promoting the use of alternative transportation modes. As such, TAMC recommends that the Marina heights Specific Plan be modified in this instance to achieve consistency between the General Plan and the Specific Plan for this project.

RESPONSE O-3: Recommendation noted.

Comment O-4: 3. TAMC supports the Monterey Bay Unified Air Pollution Control District (MBUAPCD) staff letter of July 30, 2003 regarding the use of empirical counts of existing traffic vs. hypothetical baseline traffic conditions. The FEIR should utilize empirical counts to establish baseline conditions.

RESPONSE O-4: See **RESPONSE D-1** and **RESPONSE D-3**, above. In addition, it may take several months for new travel patterns to stabilize upon the opening of 12th Street (Imjin Parkway). Thus, collecting traffic volumes immediately after the opening of 12th Street (Imjin Parkway) would not fully reflect the impact of the upgraded road link as well. Given the scheduling constraints, the data collection methodology was determined appropriate and practical by the Lead Agency.

Thomas P. Moore, Ph.D., C.P.L.
3334 Michael Drive
Marina, CA 93933-2463

August 18, 2003

Haywood Norton, Senior Planner
City of Marina
City Hall
211 Hillcrest Avenue
Marina, CA 93933

Subject: Draft EIR on the Marina Heights Specific Plan

Dear Mr. Norton,

If the City of Marina intends to go down the same road as the City of Seaside with regard to selling to a large, mostly out-of-town developer a large parcel of Fort Ord lands at less than half its market value, then the City of Marina had better get a lot more out of this development than what is proposed in the Marina Heights Specific Plan alternative.

The quality of the analysis of the EIR is brought into question by its treatment of the Citizen's Alternative. The EIR erroneously claims that the Citizen's Alternative is environmentally inferior to the Marina Heights Specific Plan. Since these two alternatives offer the same number of dwelling units (the authors of the EIR mistakenly use a higher figure for the Citizen's Alternative), and since the Citizen's Alternative would require fewer acres to be disturbed and would provide more jobs on the development parcel, it is difficult to see how the Citizen's Alternative could objectively be considered to be inferior.

P-1

The claim that the Marina Heights Specific Plan Alternative would provide jobs on the development parcel via the mechanism of providing the wiring for computer connections in each home is specious at best. It is actually rather offensive that the developers would believe that our planning staff, Planning Commission and City Council would be too stupid to see through this ruse.

P-2

Proposing a virtual clear cutting of all the trees on the land slated for development is unacceptable. At the very least we should insist that the developer work around the large oaks (6" or more dbh) on the property – they are one of the valuable assets of the property and should not be destroyed.

P-3

The Marina General Plan that applies to this parcel calls for 20% affordable housing on the development parcel. The Marina Heights Specific Plan Alternative fails to comply with this requirement. There is absolutely no reason that the developer cannot comply with this requirement. If the City is concerned that property tax revenues will be lower on the 20% affordable housing, then the City should retain ownership of the land under these homes, leasing the land in an appropriate manner to the future homeowners. The lease fee can be

P-4


Avenue extension, and, as shown on the "Vehicular Circulation" map in the Specific Plan, this roadway will be a major circulation thoroughfare linking most of the eastside of Marina Heights with the existing City of Marina. Although not considered a "collector road" per se, the Carmel Avenue extension will be one of the key "main streets" for the entire eastern side of the project area, and, because it will be the only connection across the arroyo "greenbelt" from the eastside of Marina Heights to the City of Marina, it can be expected to move a considerable amount of traffic around Pueblo Del Mar. This fact is anticipated with a note on the "Vehicular Circulation" map just to the east of Pueblo del Mar that indicates the route of a "Future Collector Road Right-of-Way", heading east away from Marina Heights. The future traffic volume and the potential for high speeds on this thoroughfare poses a real danger to the many children at Pueblo Del Mar. The Housing Authority believes and that the "enhanced integration between developed portions of the City and future development at the former Fort Ord" and the projected traffic impacts through existing neighborhoods can be better balanced than is presently planned.

Because there are no intersections along the east side of Pueblo Del Mar for a distance of some 600 feet, the approximate length of a football field, the traffic calming devices recommended in other General Plan Policies (Sections 3.19, 4.25.3, and 4.28.4; pg. 2-13 in Draft EIR) are somewhat limited for this application. The Housing Authority requests that an adequate barrier, such as an unbroken masonry wall, to protect the children from the intersection of Macarthur Drive to the intersection of the unnamed street at the north end of Pueblo Del Mar, be included as a condition of approval of the Specific Plan. This safety/sound wall is necessary to protect the health and welfare of the children, many of whom are very young children, from the potential hazards of this major roadway adjacent to their homes. This recommended safety/sound wall does not reduce any of the planned "connectivity" between Marina Heights and the City of Marina, and will greatly reduce the impacts of considerable traffic adjacent to an existing neighborhood.

R-2

I look forward to discussing these recommendations further. Please call me at 775-5020

Sincerely,



Mary Jo Zenk
Deputy Executive Director

Letter R: Mary Jo Zenk, Housing Authority County of Monterey, 8/18/03.

Comment R-1: Pueblo del Mar has 56 housing units with over 100 children residing in these units. The Housing Authority is concerned that these and future residents could be harmed by the increased traffic flow directly adjacent to their homes as described in the Draft EIR.

On page 2-17 of the Draft EIR, the document states the Marina heights Specific Plan is consistent with the following General Plan Policy (Section 3.3.6);

'Protect existing and future residential areas from through-traffic that creates safety, noise, and pollution problems'.

The 'Consistency Discussion' in the Draft EIR states,

"Although the proposed extension of Carmel Avenue would increase through traffic in the existing residential area north of the Specific Plan area, any related inconsistency with this policy must be balanced with other policies intended to provide enhanced integration between developed portions of the City and future development at the former Fort Ord."

This "Consistency Discussion" with an important General Plan policy does not adequately address the safety of the many children that will be residing at Pueblo Del Mar after the Specific Plan is implemented. Pueblo Del Mar is directly adjacent to the proposed Carmel Avenue extension, and, as shown on the "Vehicular Circulation" map in the Specific Plan, this roadway will be a major circulation thoroughfare linking most of the eastside of Marina Heights with the existing City of Marina. Although not considered a "collector road" per se, the Carmel Avenue extension will be one of the key "main streets" for the entire eastern side of the project area, and, because it will be the only connection across the arroyo "greenbelt" from the eastside of Marina Heights to the City of Marina, it can be expected to move a considerable amount of traffic around Pueblo Del Mar. This fact is anticipated with a note on the "Vehicular Circulation" map just to the east of Pueblo Del Mar that indicates the route of a "Future Collector Road Right-of-Way", heading east away from Marina Heights. The future traffic volume and the potential for high speeds on this thoroughfare poses a real danger to the many children at Pueblo Del Mar. The Housing Authority believes and that the "enhanced integration between developed portions of the City and future development at the former Fort Ord" and the projected traffic impacts through existing neighborhoods can be better balanced than is presently planned.

RESPONSE R-1: The extension of Carmel Avenue to the east to connect with MacArthur Drive would increase the volume of traffic on existing segments of Carmel Avenue and MacArthur Drive immediately adjacent to the new connection. The connector street is planned to function as a collector street, which do not usually carry traffic volumes at levels that require a barrier wall for sound or safety. Collector streets provide both mobility and access to adjacent properties. Typically, access to abutting properties is not controlled/restricted along collector streets.

Traffic calming measures are appropriate on the segment of the connector road referenced in this comment. To control travel speeds on the extended length of the new connector road with no intersections, a short, landscaped median or other street traffic calming measure should be considered at mid-block locations.

Comment R-2: Because there are no intersections along the east side of Pueblo Del Mar for a distance of some 600 feet, the approximate length of a football field, the traffic calming devices recommended in other General Plan Policies (Sections 3.19, 4.25.3, and 4.28; pg. 2-13 in Draft EIR) are somewhat limited for this application. The Housing Authority requests that an adequate barrier, such as an unbroken masonry wall, to protect the children from the intersection of Macarthur Drive to the intersection of the unnamed street at the north end of Pueblo Del Mar, be included as a condition of approval of the Specific Plan. This safety/sound wall is necessary to protect the health and welfare of the children, many of whom are very young children, from the potential hazards of this major roadway adjacent to their homes. This recommended safety/sound wall does not reduce any of the planned "connectivity" between Marina Heights and the City of Marina, and will greatly reduce the impacts of considerable traffic adjacent to an existing neighborhood.

RESPONSE R-2: Request and opinion regarding the need for a safety/sound wall in the vicinity of Pueblo del Mar are noted. Although no Specific Plan-related development in this area was identified as having potentially significant environmental impacts in the DEIR traffic analysis under the significance criteria listed on DEIR pages 3-50 and 3-51, a fence could be considered along the west side of the new collector road north of MacArthur Drive to limit access between the Pueblo del Mar property and the new street. Unless it is determined that sound impacts would be significant along this segment of the connector road (the analysis of Specific-Plan related noise effects presented in the DEIR does not identify any potentially significant Specific Plan-related traffic noise impacts in this area or elsewhere beyond those temporarily associated with construction activity), the fence would not necessarily need to be designed as a masonry wall.

CITY OF MARINA

LETTER S

AUG 18 2003

Aug. 18, 2003

PLANNING

Haywood Norton, Senior Planner
Marina City Hall
211 Hillcrest Ave.
Marina, CA 93933

Dear Haywood,

Thank you for leading the effort to produce this draft EIR for Marina Heights Specific Plan. The document is more than sufficient in providing a starting point from which to consider potential impacts and benefits of the Specific Plan and the other alternatives such as the Citizens Initiated Alternative. Below are my comments.

Take care,



Bruce Delgado
3037 Vaughan Ave.
Marina, CA 93933

Topography and Grading

Pg. 2-15. Table 2-1. Consistency with Marina General Plan Policy 4.16.3. "The natural topography within the Specific Plan area was modified with the grading that preceded the development of the existing military housing units. Although grading will be required within the Specific Plan area, the previous grading of the area would be expected to minimize the need for extensive cutting, consistent with this policy."

Comment #1: Policy 4.16.3 requires that existing topography be retained but that this requirement could be fulfilled by the minimization of grading, cutting, and filling. I wasn't able to locate in the DEIR any maps, discussion of how much or where grading is needed, or artists renditions(or computer simulations) of what the topography would look like after the proposed grading, cutting, or filling occurs. I am however very concerned by the preliminary mass grading plan appendix in the Specific Plan. This sketch appears to indicate significant grading.

S-1

Comment #2: Potentially changing existing topography by substantial grading, cutting, or filling, is so important that the DEIR/FEIR should include substantial discussion of where and how much (estimate e.g. in cubic yards) soil is to be moved.

S-2

Comment #3: Please revise the DEIR/FEIR to include these locations and numbers.

S-3

Comment #4: The public needs to know (to be able to constructively comment) what specific measures in which specific locations the Specific Plan and the DEIR Alternative Plans would make to minimize grading, cutting, and filling and how much grading would be required in each of the alternatives. This is because grading has such a large impact on biological resources, aesthetics, the "feel" of a place, drainage patterns, project costs, and subsequent landscape irrigation needs(more landscaping water would be needed the more natural habitats are graded and replaced by landscaping).

S-4

Comment #5: A project this size is large enough to warrant high-quality artist or computer simulations of what the project area topography will look like in the future from important vantage points as compared to existing conditions.

S-5

Comment #6: Please revise the DEIR/FEIR to include these high quality computer or artist simulations.

S-6

Buffers between Existing and New Development

Pg. 2-15. Table 2-1. Consistency with Marina General Plan Policy 4.18.1.

Comment #1: There is no mention in the consistency discussion of any buffer between Bayer Dr. existing homes and the proposed project. The general plan includes a buffer of greenspace between Bayer and the project which is consistent with policy 4.18.1. The Specific Plan changes this by proposing homes along Bayer with no buffer. This will require a General Plan amendment so this policy and consistency discussion is better placed in Table 2-2.

S-7

Comment #2: Please move this policy reference to Table 2-2 in the revised DEIR/FEIR.

S-8

Public Safety and other City Staff

Pg. 2-17. Table 2-1. Consistency with Marina General Plan Policy 2.4.11

Comment#1: This policy requires that costs for public facilities and services needed for new development shall be borne by new development. Although the option agreement and Interim DA include fees for capital improvements, I don't know if those documents' listed fees would cover the increased need for public safety and other city staff to support 1,050 new homes and families.

S-9

Comment #2: Please revise the DEIR/FEIR to include a simple but comprehensive list of fees expected to be paid and costs for public facilities and personnel services expected to be needed due to the development. If costs substantially exceed fees than the Specific Plan would be non-conforming with this policy.

S-10

General Plan policy 2.31.9 (pg. 2-16) dictates that "A fair share of infrastructure and public-service costs shall be borne by new development." Community Goal 1.17.I. (pg. 1-7) calls for "A diversified and sound economic base that will permit the delivery of high-quality public services to city residents and businesses."

Comment #3: The 2,930 new residents projected on DEIR page 10-7 would require the need to hire 3.7 new public safety officer positions at the rate of one officer every 784 residents quoted on DEIR page 10-1. Where would the funding come from to pay for these positions? Can a new development be required to pay for increased staffing needs due to the new development?

S-11

At the August 14, 2003, Marina Planning Commission deliberation on Marina Heights Specific Plan public safety issues Marina's Fire Chief seemed to indicated that new fire

stations would need additional staff but that it was important that these additional positions be funded.

Comment #4: Without the DEIR/FEIR clearly identifying how much additional public safety staff are needed (both officers in the field and support staff in the station) to support the Specific Plan's buildout, and where funding would come from to support them, than the Specific Plan could be inconsistent with GP policy 2.31.9 or Community Goal 1.17.I.

S-12

This is an extremely important issue because it indirectly would affect the safety and health of Marina citizens and others within the Marina Heights area and the rest of Marina.

Comment #5: Please amend the DEIR/FEIR to include estimated needs and costs for additional public safety field and office staff to support the Specific Plan. Please also make a determination as to whether the Specific Plan is consistent with GP policy 2.31.9 as it regards Public Safety service (e.g. staffing levels needed).

S-13

Distance between K-8 Schools and Households

Pg. 2-18. Table 2-1. Consistency with Marina General Plan Policy 2.91.4.

This policy requires that K-9 schools "be located within walking distance to the households served."

Comment#1: Apparently consistency is claimed on page 2-18 because the proposed elementary school site would be within walking distance "of households served". Although the wording chosen, "of households served" is very close to the policy language "to the households served", the former wording would be achieved if 2 or more households served were within walking distance. The latter would only be achieved if all or nearly all households served would be within walking distance. Clearly the school location identified in the general plan would be within walking distance of more homes within the new development and within existing Reindollar Ave. neighborhoods than would be the Specific Plan school location.

S-14

Comment #2: Please revise the DEIR/FEIR to provide calculated distances that disclose the distance from households served to the Specific Plan school location and the General Plan school location. This could be done by disclosing what percentage of Marina Heights homes would be within acceptable walking distance for K-5 students from the two locations. Also it should be calculated how many existing Reindollar Ave. existing homes would be within walking distance to both locations. Only then could the public have a clear idea and be able to constructively comment on how consistent the Specific Plan is with Policy 2.91.4.

S-15

Reduced Vehicle Trips and Traffic Congestion

Pg. 2-18. Table 2-1. Consistency with Marina General Plan Policy 3.3.3.

“Reduce the number and length of vehicle trips and limit overall traffic congestion by promoting land use patterns which allow for multipurpose trips...”.

Comment #1. The consistency discussion provided regarding this policy is misleading. It says “the proposed land use pattern would not preclude future residents from making multipurpose trips...consistent with this policy”. The policy requires a land use pattern that “promotes” multipurpose trips etc. while the Specific Plan simply “does not preclude” multipurpose trips etc. These are very different in emphasis, and by simply not precluding reduced trips etc. the Specific Plan has failed to include land use patterns that promote reduced trips, etc.

S-16

Comment #2: Please move policy 3.3.3 to table 2-2, non-conforming policies.

Air Quality Pg. 4-20 to 4-22.

Comment #1: This discussion of air quality concludes that a significant and unavoidable impact will occur given the Specific Plans impacts to air quality. Pg. 4-22 states “...there is no practical way to reduce the Specific Plan-related emissions by the 37.8 percent increment that would be necessary to bring the Specific Plan-related impacts below MBUAPCD significance thresholds for NO_x.” While this may be true the Specific Plan and alternatives to it such as the Citizens Initiated Alternative should do everything practical to lower the Nox and other emissions such as VOC and PM₁₀. Toward that end, higher density, clustered housing, mixed commercial use, and well-designed mass transit within the project area would reduce all emissions due to shorter and fewer vehicle trips and more pedestrian trips accomplished within the project area.

S-17

Comment #2: The DEIR should include in the mitigated alternative a different housing design to accomplish emission savings and should analyze the impact reduction of these savings for both the mitigated alternative and the Citizens Initiated Alternative.

S-18

Biological Resources (Pg. 6-1)

Comment#1: The DEIR makes no mention of Marina General Plan Biological Policies 4.115-4.125 or Community Goal 1.18.B. However those policies and that goal include relevant information such as the following:

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- avoidance or minimization to the greatest extent possible the consumption or degradation of ... natural habitats
- definition of sensitive habitat
- requirements that apply to sensitive habitats
- on-site and off-site mitigation ratios
- oak woodland and individual oak survey, mapping, protection, replacement, and maintenance

These are essentially the ground rules as per Marina’s General Plan concerning biological resources and in some cases they are in addition to state or other jurisdictions’ ground rules (while in other cases they are basically the same). Therefore, the discussion, maps, and proposed mitigation for biological resources in the DEIR should conform with these general plan policies as well as those of other applicable jurisdictions. This is especially

true if the Fort Ord Habitat Conservation Plan(HCP) and Implementation Agreement(LA) aren't executed prior to ground disturbance for the Marina Heights project.

Comment #2: Please revise the DEIR from pages 6-1 to 6-19 to include all relevant discussion and mitigations as per the general plan policies 4.115-4.125 especially because it is a real possibility that the HCP and LA won't be executed prior to the initiation of ground disturbance for this project.

S-20

Pg. 6-1. "In June and July 2002, Vernal Yadon conducted field surveys ... for the Chadmar Group. All of these documents were reviewed by Zander Associates prior to conducting field work, which was to consist of a reconnaissance survey to verify the information provided by Vern Yadon."

Pg. 6-2. Zander Associates initially surveyed the property on April 9, 2003 and identified several locations of sand gilia ...". "Zander Associates returned to the site on April 17, 2003 to generally map the locations of sand gilia and Monterey spineflower and to delineate the extent of occupied habitat observed on this date for these species."

Pg. 6-8. "Based on the reconnaissance-level surveys conducted for this study, Zander Associates estimates that the extent of habitat occupied by sand gilia ... is approximately 23 acres."

Comment#3: During February 2003 I personally commented on the record at a planning commission public hearing on Marina Heights that properly-timed, species-specific surveys would be critical to get an accurate mapped-distribution of species such as sand gilia. It seemed almost silly at that time to advise this but I knew that this point often is overlooked in development projects. It is unsatisfactory that a project the size of Marina Heights with the potential impacts on rare species it has to rely only on "reconnaissance" surveys. As part of due diligence all parties involved with this project were capable of knowing that June and July surveys for most annual wildflowers in the Monterey Bay region are fairly late surveys and need to be conducted earlier in the growing season to be able to ensure rare plants are properly detected.

S-21

Comment #4: There is one area of sand gilia I have observed in casual visits to the area in 2001 which does not show on Figure 6.1. Given that 2003 was a good spring for sand gilia, and that this location remains intact without any new threats present, it is unlikely that this area did not support sand gilia in 2003. Homes are proposed for this location in the DEIR but no mitigation would be provided for the loss of gilia at this or other locations missed by the biological surveys.

S-22

Comment #5: During July 2003, after the DEIR was published, I was able to quickly find numerous locations of Monterey spineflower within the project area that are not included in Figure 6.1. However Figure 1 is the only map used to disclose the distribution of any rare species within the project area and that is used as a basis for planning mitigation for the loss of any rare species. All of these additional areas where I and others with me

S-23

observed Monterey spineflower are proposed in the DEIR for home construction so this is relevant information.

Comment #6: During 2002 I escorted Vern Yadon to one mature individual of Pajaro manzanita (*Arctostaphylos pajaroensis*) within the Marina Heights area to show him that it does occur there and to suggest that surveys be done for it throughout the project. This is relevant because this CNPS List 1B species is now known to occur at 3-4 locations on Fort Ord. The DEIR does not mention this species but surveys should be completed to map its distribution within the project and to be able to plan to minimize impacts to it.

S-24

Comment #7: Please revise the DEIR to show the mapped distribution of all rare species, not just 2 of the approximate 10 plant and animal special-status species, and either use properly-timed and complete surveys as the basis of these maps or assume that all 99 acres of maritime chaparral and all 10 acres of oak woodland habitat are occupied habitat for these species. Only then could mitigation plans fully address the proposed loss of rare species.

S-25

Pg. 6-11. "The California horned lizard is known to occur in many habitat types ... and there is suitable habitat for this species within the Specific Plan area."

Comment #8: This comment would be more precise if it disclosed that except where there are buildings, most of the project area is suitable habitat for this species.

S-26

Pg. 6-11. "The black legless lizard is found in loose ...soils ..." . "Potential habitat for this species is present in the mixed maritime chaparral habitat in the Specific Plan area."

Comment #9: Given that this species has been found within all natural habitats on Fort Ord that exist in the Specific Plan area and within back yards and front yards of homes inside Marina, pg. 6-11 should be revised to state "Potential habitat for this species is present in the mixed maritime chaparral, intact maritime chaparral, chaparral/coastal scrub/oak woodland mosaic, Chaparral/ruderal mosaic, oak woodland, and developed/disturbed habitat in the Specific Plan area." Or more simply, the DEIR could state "Potential habitat for this species is present in all habitat types within the Specific Plan area, including development/disturbed."

S-27

Pg. 6-14. "All of the Specific Plan area is within a designated development area and, therefore, the loss of HMP species is anticipated and accommodated by the HMP:..." . "Mitigation for the loss of maritime chaparral habitat and associated s.s. species ... was provided through establishment of habitat reserve areas elsewhere on Fort Ord."

Comment#10: Because of complications with the ability to do prescribed burning, it may or may not be necessary to significantly revise the HMP. Therefore it is misleading to say at this time that the loss of HMP species within the project area is "accommodated" by the HMP or that mitigation "was provided through establishment" of habitat reserves elsewhere. To date the only habitat reserves that have been "established" on Fort Ord are the 7200 acres of BLM-administered public lands and approximately 1000 acres of UC

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Reserve lands. The 7200 acres of BLM lands only have one acre of occupied sand gilia habitat and less than 3 acres of occupied Monterey spineflower habitat. Therefore in regards to these two federally and/or state-listed species, the Marina Heights project area supports 13 times more acreage of occupied habitat for Monterey spineflower (42 acres compared to less than three acres) and at least 20 times more important for sand gilia (23 acres compared to one acre). UC Reserve has more acres of occupied habitat of each of these species but the invasion of annual non-native grasses is seen as a significant threat to the long-term survival of Monterey spineflower and sand gilia on these UC Reserve lands. The vast majority of these two listed species occur on what are still Army-administered lands and, though development preparations are on-going for those lands planned by the HMP for development, there is great uncertainty about whether the Army and future land owners of habitat reserve lands will be able to manage for these listed species due to the complications regarding the ability to burn. Therefore any discussion of the HMP providing mitigation sufficient for the proposed loss of these species on Marina Heights and other development parcels is irrelevant until such time as the HCP and IA documents are signed by all participating parties. This is correctly stated on pg 6-14, "Until the HCP and IA are executed, the loss of state or federally-listed species must be addressed on a project-by-project basis". The City of Marina and/or the developer have the responsibility to ensure the CEQA review process includes properly timed and comprehensive species-specific surveys conducted with maps produced showing where all special-status, CEQA-covered species occur and plan to avoid wherever possible impacts to these species as a first resort, as well as provide detailed plans of mitigation where avoidance is not possible.

Comment #11: References to proposed mitigation for loss of sand gilia (Mitigation 6.1, pg. 6-16) appear to be insufficiently specific as regards restoration or creation of habitat. Simply referring to the concept of off-site mitigation is not enough. There should be every effort made to first avoid impacts, then to mitigate on-site, and only as a last resort to mitigate off-site. Without more discussion and solutions specified in detail this mitigation as proposed would not seem to lower the impact to less than significant. Similarly for Monterey spineflower, simply collecting seed and stating that it should be used for restoration efforts on reserve lands off-site would not reduce the impact to less than significant.

S-29

Comment #12: There is not Resulting Level of Significance for impacts to Monterey spineflower on pg. 6-17. This may be an oversight.

S-30

Comment #13: Pg. 11-6. "Implementation of the Specific Plan would not interfere substantially with the movement of any native resident or migratory ...wildlife species or with established native resident or migratory wildlife corridors...(because ...the corridor identified within the Specific Plan ... provides a means to enhance the distribution of seeds to enhance the genetic diversity of special status plant species, and does not function as a wildlife corridor serving migratory species or special-status native wildlife species)."

S-31

Comment #14: This paragraph is not accurate. Native resident species and migratory wildlife species that use the relatively open areas such as the mixed maritime chaparral, intact maritime chaparral, chaparral/coastal scrub/oak woodland mosaic, or chaparral/ruderal mosaic would likely be interfered with substantially by the removal of these habitats as proposed by the Specific Plan. Special status species such as coast horned lizard and loggerhead shrike would have substantially less available habitat if the Specific Plan were implemented as compared to current conditions. Migratory songbirds would be interfered with substantially because such a large percentage of the natural habitat is proposed to be removed in the Specific Plan. The number and diversity of migratory and resident bird species that could utilize the reduced available habitat would also be reduced. California thrashers (a resident bird species of distinct charm and song!) for instance would likely use the project area much less due to the removal of all 99 acres of mixed maritime chaparral. Birds not able to nest in the reduced natural habitat areas would have to avoid the project area and locate in another location. This is substantial interference.

S-32

Comment #15: The natural area corridor identified in the Specific Plan could not possibly enhance the distribution of seeds to enhance or enhance the genetic diversity of special status plant species because this corridor already exists. The only way it could lead to such enhancement is if the Specific Plan added something or proposed to enhance the corridor's habitat value to one or more wildlife species. The Specific Plan does not do this. In fact the Specific Plan would substantially degrade the ability of plant species in the project area to distribute seeds because the Specific Plan would remove 99 acres of mixed maritime chaparral and an unspecified but approximate 15 acres of open habitat elsewhere (the "linear swath" in the NE boundary area, part or all of the cypress/pine grove, two stands of intact but undisclosed locations of maritime chaparral) while only maintaining 35 acres of greenspace in the 248-acre project area.

S-33

Comment #16: Please remove the verbage on DEIR pg. 11-6 which is referred to above and instead disclose the impacts from the project to native plant species' ability to distribute seeds throughout the project area and the impacts to resident and migratory birds that would occur on the project site as a result of the proposed removal of the majority of natural habitats within the project area.

S-34

Scenic Resources

Pg. 11-4 "Implementation of the Specific Plan would not substantially damage scenic resources (because no scenic resources [i.e. trees, rock outcroppings, ...etc.] have been formally identified within the Specific Plan area."

Comment#1: Does a scenic resource have to be "formally identified" by some process to be considered a scenic resource? If so what is this process?

S-35

Comment #2: The proposed removal by grading of all 99 acres of mixed maritime chaparral (DEIR pg. 6-15) implies that all oak and other trees in these 99 acres will also be removed. Although this natural habitat and these trees may not be formally identified as a scenic resource they are to many people especially those who currently live within

S-36

view of these scenic resources. My mother says the single most important reason she loves her home is the view of the natural areas she can see from her kitchen window. I have spoken with residents whose homes border the project area and they have told me one of their biggest concerns about the proposed Marina Heights project is the potential loss of trees from their view. Many future residents of Marina Heights will also likely cherish the view of majestic oaks, cypress, pines, and green areas of natural mixed maritime chaparral habitat where these scenic resource are left intact.

Comment #3: Please revise the DEIR/FEIR to consider the proposed loss of trees and natural habitats as a significant impact. Also include in the DEIR/FEIR a map of all natural habitats and trees larger than 6 inches in diameter at breast height proposed for removal so that it is properly disclosed how many acres and trees and the locations of natural habitats and trees proposed for removal. This would allow the public to comment from a more educated perspective on the significance of the proposed removal of these resources and to potentially offer alternatives that would reduce the need to remove these resources.

S-37

Visual Character or Quality

11-4. "Implementation of the Specific Plan would not substantially degrade the existing visual character or quality of the site and its surroundings (because the major portion of the Specific Plan area currently supports deteriorating abandoned residential units that would be replaced with new residential units)."

Figure 6.1 and DEIR pages 6-2 and 6-6 illustrate and describe the presence of the following

- 99 acres of mixed maritime chaparral
- 10 acres of oak woodland
- two stands of intact maritime chaparral
- a linear swath 200-300 feet in width of chaparral, oaks, and coastal scrub but relatively few introduced species (which means less weeds and higher aesthetic quality) along the projects NE boundary
- a grove of planted Monterey pine and cypress

Comment #1: I could not find any maps in the DEIR showing any of the last three of these undeveloped areas listed above. It appears likely however that all five of these undeveloped areas add up to more than 125 acres which would be more than 50% of the total 248-acre project area. Therefore, the loss of any significant portion of these undeveloped areas would reasonably be considered a substantial degradation of visual character or quality of the site. The Specific Plan proposes to remove all 99 acres of mixed maritime chaparral (DEIR 6-15), build upon the linear swath of mixed habitats mentioned above (DEIR Fig. 12-2), and may or may not remove the two stands of intact maritime chaparral and the grove of planted Monterey pine and cypress.

S-38

Comment #2: Please revise the DEIR/FEIR to include this potential damage to visual character or quality as a significant environmental impact. Also include a map showing

S-39

the locations of the five undeveloped resources mentioned above and whether each would be lost or retained.

End Delgado's comments

Letter S: Bruce Delgado, 8/18/03.

Comment S-1: Comment #1: Policy 4.16.3 requires that existing topography be retained but that this requirement could be fulfilled by the minimization of grading, cutting, and filling. I wasn't able to locate in the DEIR any maps, discussion of how much or where grading is needed, or artists renditions (or computer simulations) of what the topography would look like after the proposed grading, cutting, or filling occurs. I am however very concerned by the preliminary mass grading plan appendix in the Specific Plan. This sketch appears to indicate significant grading.

RESPONSE S-1: Specific Plan consistency with Marina General Plan policies is addressed in DEIR Chapter 2: land Use Planning and Policy. The discussion on DEIR page 2-15 indicates that the Specific Plan conforms to General Plan Section 4.16.3. The natural topography within the Specific Plan area was modified with the grading that preceded the development of the existing military housing units. Although additional grading will be required within the Specific Plan area, the previous grading of the area would be expected to minimize the need for extensive cutting consistent with this policy.

Comment S-2: Comment #2: Potentially changing existing topography by substantial grading, cutting, or filling, is so important that the DEIR/FEIR should include substantial discussion of where and how much (estimate e.g. in cubic yards) soil is to be moved.

RESPONSE S-2: Although formal grading plans for the Specific Plan area have not been prepared, the preliminary mass grading plan provides a preliminary estimate of 933,000 cubic yards of cut and 884,000 cubic yards of fill required within the Specific Plan area. As specified in the Specific Plan, cut and fill would balance on site given shrinkage due to compaction and the ability to construction in phases that would allow the final phase final grading plan to accommodate extra soil.

Comment S-3: Comment #3: Please revise the DEIR/FEIR to include these locations and numbers.

RESPONSE S-3: Request noted.

Comment S-4: Comment #4: The public needs to know (to be able to constructively comment) what specific measures in which specific locations the Specific Plan and the DEIR Alternative Plans would make to minimize grading, cutting, and filling and how much grading would be required in each of the alternatives. This is because grading has such a large impact on biological resources, aesthetics, the “feel” of a place, drainage patterns, project costs, and substantial landscape irrigation needs (more landscaping water would be needed the more natural habitats are graded and replaced by landscaping).

RESPONSE S-4: A detailed grading plan has not yet been developed for implementation of the Specific Plan. Under CEQA, the evaluation of alternatives to the Specific Plan identified in the DEIR need not be at the same level of detail as the evaluation of the Specific Plan itself. For this reason, the development of detailed grading plans for each of the identified alternatives evaluated in the DEIR is not necessary.

Comment S-5: Comment #5: A project this size is large enough to warrant high-quality artist or computer simulations of what the project area topography will look like in the future from important vantage points as completed to existing conditions.

RESPONSE S-5: Opinion regarding the need for artist/computer simulations is noted.

Comment S-6: Comment #6: Please revise the DEIR/FEIR to include these high quality computer or artist simulations.

RESPONSE S-6: Request noted. City staff determined that no computer simulation or artist simulations were necessary in response to this comment.

Comment S-7: Comment #1: There is no mention in the consistency discussion of any buffer between Bayer Dr. existing homes and the proposed project. The general plan includes a buffer of greenspace between Bayer and the project which is consistent with policy 4.18.1. The Specific Plan changes this by proposing homes along Bayer with no buffer. This will require a General Plan amendment so this policy and consistency discussion is better placed in Table 2-2.

RESPONSE S-7: Opinion on the placement of the consistency discussion of General Plan Section 4.18.1 is noted.

Comment S-8: Comment #2: Please move this policy reference to Table 2-2 in the revised DEIR/FEIR.

RESPONSE S-8: Request noted. DEIR Table 2-1 and DEIR Table 2-2 were not modified in response to this comment.

Comment S-9: Comment #1: This policy requires that costs for public facilities and services needed for new development shall be borne by new development. Although the option agreement and Interim DA include fees for capital improvements, I don't know if those documents' listed fees would cover the increased need for public safety and other city staff to support 1,050 new homes and families.

RESPONSE S-9: The DEIR evaluates the anticipated environmental effects that may be associated with the implementation of the Specific Plan as proposed, and does not provide an evaluation of the fiscal, economic or social effects that may be associated with the proposed Specific Plan. In terms of consistency with Marina General Plan Section 4.18.1, as indicated on DEIR page 2-7, the conclusions presented in Table 2-1 and Table 2-2 are not binding on the City Council, which ultimately determines the extent to which the proposed Specific Plan is consistent with the General Plan.

Comment S-10: Comment #2: Please revise the DEIR/FEIR to include a simple but comprehensive list of fees expected to be paid and costs for public facilities and personnel services expected to be needed due to the development. If costs substantially exceed fees than the Specific Plan would be non-conforming with this policy.

RESPONSE S-10: Request noted. As indicated in the **RESPONSE** above, it is beyond the scope of the DEIR to provide an evaluation of fiscal or economic aspects associated with the implementation of the Specific Plan (including a presentation of the anticipated fees to be paid by the Project Applicant or the costs to the City of Marina or providing services to the proposed development). As indicated on DEIR page 2-7, the conclusions presented in Table 2-1 and Table 2-2 are not binding on the City Council, which ultimately determines the extent to which the proposed Specific Plan is consistent with the General Plan.

Comment S-11: Comment #3: The 2,930 new residents projected on DEIR page 10–7 would require the need to hire 3.7 new public safety officer positions at the rate of one officer every 784 residents quoted on DEIR page 10-1. Where would the funding come from to pay for these positions? Can a new development be required to pay for increased staffing needs due to the new development?

RESPONSE S-11: As indicated in the RESPONSE above, it is beyond the scope of the DEIR to provide an evaluation of fiscal or economic aspects associated with the implementation of the Specific Plan (including identifying a source of funding for hiring additional City public safety personnel when needed). Property owners in Marina pay property taxes, a portion of which becomes part of the City's General Fund, a portion of which is used to pay the salaries of City employees. Future property owners within the Specific Plan area would contribute to the payment of City employee salaries in the same manner.

Comment S-12: Comment #4: Without the DEIR/FEIR clearly identifying how much additional safety staff are needed (both officers in the field and support staff in the station) to support the Specific Plan's buildout, and where funding would come from to support them, than the Specific Plan could be inconsistent with GP policy 2.31.9 or Community Goal 1.17I.

This is an extremely important issue because it indirectly would affect the safety and health of Marina citizens and others within the Marina Heights and the rest of Marina.

RESPONSE S-12: Opinion noted. As indicated in the RESPONSE above, it is beyond the scope of the DEIR to provide an evaluation of fiscal or economic aspects associated with the implementation of the Specific Plan (including identifying a source of funding for hiring additional City public safety personnel when needed). As indicated on DEIR page 2-7, the conclusions presented in Table 2-1 and Table 2-2 are not binding on the City Council, which ultimately determines the extent to which the proposed Specific Plan is consistent with the General Plan.

Comment S-13: Comment #5: Please amend the DEIR/FEIR to include estimated needs and costs for additional public safety field and office staff to support the Specific Plan. Please also make a determination as to whether the Specific Plan is consistent with GP policy 2.31.9 as it regards Public Safety service (e.g. staffing levels needed).

RESPONSE S-13: Requests noted. In approving the Option Agreement and establishing the development fees to be associated with the Marina Heights Specific Plan, the City Council effectively determined that these fees would represent a fair share of the infrastructure and public service costs to be borne by the proposed development, consistent with General Plan Section 2.31.9. As it is beyond the scope of the DEIR to evaluate fiscal or economic impacts, the document does not address the issue of whether the payment of the fees established under the Option Agreement would cover the anticipated costs associated with providing public services within the Specific Plan area following development as proposed or not.

Comment S-14: Comment #1: Apparently consistency is claimed on page 2-18 because the proposed elementary school site would be within walking distance "of households served". Although the wording chosen, "of households served" is very close to the policy language "to the households served", the former wording would be achieved if 2 or more households served were within walking distance. The latter would only be achieved if all or nearly all households served would be within walking distance. Clearly the school location identified in the general plan would be within walking distance of more homes within the new development and within existing Reindollar Ave. neighborhoods than would be the Specific Plan school location.

RESPONSE S-14: Comment noted. The DEIR evaluates the anticipated environmental effects associated with implementation of the Specific Plan as proposed. The Monterey Peninsula Unified School District (MPUSD) has not identified the location of the next school to be built in Marina, and has not identified which households would be served by the next school to be built in Marina. The Specific Plan as proposed identifies the location for a community park/elementary school site beyond the boundaries of the Specific Plan area, but does not propose the development of a school at that location. The MPUSD ultimately selects school sites following a rigorous evaluation of all possible effects associated with school development, including potential environmental effects, in coordination with the California Department of Education. Until a new school has been formally proposed by MPUSD, and the households to be served by a new school are formally identified by MPUSD, it is not possible to determine with certainty whether a particular possible

school site would be better located to enable students to walk to school from the households served than would another site. As indicated in this comment, however, some possible school locations may serve more households in some areas than other possible school locations.

Comment S-15: Comment #2: Please revise the DEIR/FEIR to provide calculated distances that disclose the distance from households served to the Specific Plan school location and the General Plan school location. This could be done by disclosing what percentage of Marina Heights homes would be within acceptable walking distance for K-5 students from the two locations. Also it should be calculated how many existing Reindollar Ave. existing homes would be within walking distance to both locations. Only then could the public have a clear idea and be able to constructively comment on how consistent the Specific Plan is with Policy 2.91.4.

RESPONSE S-15: Request noted. As indicated in **RESPONSE S-14**, above, the households to be served by the next school to be built in Marina have not yet been identified by the MPUSD.

Comment S-16: Comment #1: The consistency discussion provided regarding this policy is misleading. It says "the proposed land use pattern would not preclude future residents from making multipurpose trips ... consistent with this policy." The policy requires a land use pattern that "promotes" multipurpose trips, etc. while the Specific Plan simply "does not preclude" multipurpose trips etc. These are very different in emphasis, and by simply precluding reduced trips, etc. the Specific Plan has failed to include land use patterns that promote reduced trips, etc.

RESPONSE S-16: When contemplating leaving the home, an individual uses his/her own judgment in deciding whether or not to combine intended trips, depending on the purpose of the journey. Such decisions are made by individuals based on time available, the location of the ultimate destination and possible interim stops, traffic conditions, and a host of other factors. It would be speculative for the DEIR to attempt to project the proportion of trips generated within the Specific Plan area on an average day that might be classified as multipurpose trips. Without knowing the purpose of future trips, the destinations of future trips, and the conditions under which future trips might be completed, it is not possible to say for certain that one development pattern would be more likely to "allow for multipurpose trips" than another land use pattern. Certainly other development patterns that provide a number

of desired destinations in a single location (i.e., a traditional downtown, a shopping mall, etc.) may promote more multipurpose trips than would the development pattern associated with the proposed Specific Plan, which includes none of these destinations. This does not mean that the Specific Plan does not “promote” multipurpose trips, as there would be destinations in and around the Specific Plan area (i.e., parks, bicycle paths and trails, the homes of other residents, etc.) that could be combined in a single multipurpose trip.

Comment S-17: Comment #1: This discussion of air quality concludes that a significant and unavoidable impact will occur given the Specific Plans impacts to air quality. Pg. 4-22 states “...there is no practical way to reduce the Specific Plan-related emissions by the 37.8 percent increment that would be necessary to bring the Specific Plan-related impacts below MBUAPCD significance thresholds for NOx.” While this may be true the Specific Plan and alternatives to it such as the Citizens Initiated Alternative should do everything practical to lower the NOx and other emissions such as VOC and PM10. Toward that end, higher density, clustered housing, mixed commercial use, and well-designed mass transit within the project area would reduce all emissions due to shorter and fewer vehicle trips and more pedestrian trips accomplished within the project area.

RESPONSE S-17: Comment noted. Any number of possible alternative development patterns could be conceived that could reduce the emissions associated with development of the Specific Plan area to a level of less than significant, and development under the General Plan Consistency Alternative would not exceed these thresholds (see DEIR page 12-9). Using the air quality modeling assumptions used in the DEIR (which are based on the total number of daily vehicle trips associated with a development), the maximum number vehicle trips that could be generated daily within the Specific Plan area without exceeding the emissions threshold established by MBUAPCD for NOx would be approximately 6,013 vehicle trips. Possible development patterns within the Specific Plan area that could reduce the total number of daily vehicle trips below 6,013 (either through a reduction in the number of residential units, increasing residential density, clustering housing, adding commercial uses, etc.) would generally be expected not to exceed MBUAPCD’s NOx threshold of significance.

Comment S-18: Comment #2: The DEIR should include in the mitigated alternative a different housing design to accomplish emission savings and should analyze the impact reduction of these savings for both the mitigated alternative and the Citizens Initiated Alternative.

RESPONSE S-18: Recommendation noted. As indicated in RESPONSE S-17, above, the air quality modeling assumptions used in determining whether a proposed development would exceed emissions thresholds are geared to the total number of daily vehicle trips anticipated. Since the number of anticipated daily vehicle trips anticipated under the Mitigated Alternative as defined in the DEIR would be identical to the number associated with the Specific Plan, traffic-related emissions associated with this alternative would be expected to be similar to those associated with the Specific Plan, and well in excess of established thresholds for NO_x (see DEIR page 12-13). Since the Citizen-Initiated Alternative (as defined in the DEIR) would be expected to generate approximately 37 percent more trips than the proposed Specific Plan, emissions of NO_x under this alternative would be greater than those associated with the Specific Plan. As indicated in RESPONSE S-17, above, there are an unlimited number of possible alternatives that could be conceived that could reduce emissions of NO_x to levels below the threshold established by the MBUAPCD. However, it is beyond the scope of the DEIR to formulate the variations of the DEIR alternatives as recommended in this comment solely for the purpose of exploring how much each possible variant might be able to reduce NO_x emissions.

Comment S-19: Comment #1: The DEIR makes no mention of Marina General Plan Biological Policies 4.115.4.125 or Community Goal 1.18B. However, those policies and that goal include relevant information such as the following:

- *avoidance or minimization to the greatest extent possible the consumption or degradation of ... natural habitats*
- *definition of sensitive habitat*
- *requirements that apply to sensitive habitats*
- *on-site and off-site mitigation ratios*
- *oak woodland and individual oak survey, mapping, protection, replacement, and maintenance*

These are essentially the ground rules as per Marina's General Plan concerning biological resources and in some cases they are in addition to state or other jurisdictions' ground rules (while in other cases they are basically the same). Therefore, the discussion, maps, and

proposed mitigation for biological resources in the DEIR should conform with these general plan policies as well as those of other applicable jurisdictions. This is especially true if the Fort Ord habitat Conservation Plan (HCP) and Implementation Agreement (IA) aren't executed prior to ground disturbance for the Marina Heights project.

RESPONSE S-19: The referenced Marina General Plan sections defer to the requirements of an approved Habitat Management Plan. The Fort Ord HMP is such a plan, and has been approved by the City of Marina, the U.S. Fish and Wildlife Service, the U.S. Army, the Bureau of Land Management, the Fort Ord Reuse Authority, the County of Monterey and other agencies party to the HMP. The discussion, maps and proposed mitigation for biological resources in the DEIR conform with the requirements of the HMP. The Fort Ord HCP and IA are intended to provide additional coverage to local jurisdictions and others in the form of incidental take authorization, as required, for state- and federally-listed species. In the absence of a signed HCP/IA, the DEIR recommends separate take authorization for the one listed species that would require such authorization (sand gilia).

Comment S-20: Comment #2: Please revise the DEIR from pages 6-1 to 6-19 to include all relevant discussion and mitigations as per the general plan policies 4.115-4.125 especially because it is a real possibility that the HCP and IA won't be executed prior to the initiation of ground disturbance for this project:

RESPONSE S-20: Request noted. See RESPONSE S-19, above.

Comment S-21: Comment #3: During February 2003 I personally commented on the record at a planning commission public hearing on Marina Heights that properly-timed, species-specific surveys would be critical to get an accurate mapped-distribution of species such as sand gilia. It seemed almost silly at that time to advise this but I knew that this point often is overlooked in development projects. It is unsatisfactory that a project the size of Marina Heights with the potential impacts on rare species it has to rely only on "reconnaissance" surveys. As part of due diligence all parties involved with this project were capable of knowing that June and July surveys for most annual wildflowers in the Monterey Bay region are fairly late surveys and need to be conducted earlier in the growing season to be able to ensure rare plants are properly detected.

RESPONSE S-21: Reconnaissance-level surveys were considered adequate for the purposes of CEQA analysis for the Specific Plan based on the assumption that the HMP designates the Specific Plan area for development without restrictions and provides base-wide mitigation for HMP species and their habitats. Even if, in the absence of comprehensive surveys, a more conservative assumption of impact (e.g., 99 acres) to the two listed annual wildflowers (Monterey spineflower and sand gilia) known to occur in the site's maritime chaparral habitats is used for purposes of this analysis, it would not substantially change the conclusions of the DEIR. Those conclusions assume that the loss of spineflower and gilia in HMP-designated development areas is mitigated through the set aside and management of HMP-designated habitat reserve areas in other parts of the former Fort Ord. Since sand gilia is a state-listed species for which the California Department of Fish and Game requires formal take authorization, the DEIR identifies the need to obtain take authorization from CDFG as a separate mitigation measure. If that authorization is obtained through the HCP/IA, no further mitigation would likely be required. However, the DEIR assumes that follow-up comprehensive surveys and the development of detailed mitigation plans to satisfy CDFG's incidental take provisions for gilia (e.g., locations, mitigation ratios, etc.) would result from negotiations with CDFG.

Comment S-22: Comment #4: There is one area of sand gilia I have observed in casual visits to the area in 2001 which does not show on Figure 6.1. Given the 2003 was a good spring for sand gilia, and that this location remains intact without any new threats present, it is unlikely that this area did not support sand gilia in 2003. Homes are proposed for this location in the DEIR but no mitigation would be provided for the loss of gilia at this or other locations missed by the biological surveys.

RESPONSE S-22: As gilia is an annual plant that varies in its distribution in suitable areas from year to year, gilia may occur in other areas within the Specific Plan area, as indicated in this comment. For the purposes of the DEIR, all 99 acres of mixed maritime chaparral habitat should be considered suitable habitat for sand gilia. In the absence of follow-up, seasonally-timed surveys, the CDFG incidental take authorization should be based on this conservative assumption. However, the DEIR assumes that follow-up comprehensive surveys and the development of detailed mitigation plans to satisfy CDFG's incidental take provisions for gilia (e.g., locations, mitigation ratios, etc.) would result from negotiations with CDFG.

Comment S-23: Comment #5: During July 2003, after the DEIR was published, I was able to quickly find numerous locations of Monterey spineflower within the project area that are not included in Figure 6.1. However, Figure 1 is the only map used to disclose the distribution of any rare species within the project area and that is used as a basis for planning mitigation for the loss of any rare species. All of these additional areas where I and others with me observed Monterey spineflower are proposed in the DEIR for home construction so this is relevant information.

RESPONSE S-23: See RESPONSE L-4, above.

Comment S-24: Comment #6: During 2002 I escorted Vern Yadon to one mature individual of Pajaro manzanita (Arctostaphylos pajaroensis) within the Marina Heights area to show him that it does occur there and to suggest that surveys be done for it throughout the project. This is relevant because this CNPS List 1B species is now known to occur at 3-4 locations on Fort Ord. The DEIR does not mention this species but surveys should be completed to map its distribution within the project and to be able to plan to minimize impacts to it.

RESPONSE S-24: See RESPONSE Q-3, above.

Comment S-25: Comment #7: Please revise the DEIR to show the mapped distribution of all rare species, not just 2 of the approximate 10 plant and animal special-status species, and either use properly-timed and complete surveys as the basis of these maps or assume that all 99 acres of maritime chaparral and all 10 acres of oak woodland habitat are occupied habitat for these species. Only then could mitigation plans fully address the proposed loss of rare species.

RESPONSE S-25: As indicated in RESPONSE S-21, above, the mapping provided in the DEIR is adequate for the purposes of CEQA. The DEIR assumes that the loss of HMP species in HMP-designated development areas is mitigated through the set aside and management of HMP-designated habitat reserve areas in other parts of the former Fort Ord. As also noted above, sand gilia presents a special case, since it is a state-listed plant for which CDFG requires separate take authorization. Thus, for the purposes of the DEIR, all 99 acres of mixed maritime chaparral habitat should be considered as suitable sand gilia habitat. In the absence of follow-up, seasonally-timed surveys, the CDFG incidental take authorization should be based on this conservative assumption. However, the DEIR assumes that follow-up comprehensive surveys and the

development of detailed mitigation plans to satisfy CDFG's incidental take provisions for gilia (e.g., locations, mitigation ratios, etc.) would result from negotiations with CDFG.

Comment S-26: Comment #8: This comment would be more precise if it disclosed that except where there are buildings, most of the project area is suitable habitat for this species.

RESPONSE S-26: Comment noted. On DEIR page 6-11, the text of the second paragraph has been modified to read as follows:

California horned lizards inhabit open country, especially sandy areas, washes, flood plains, and wind-blown deposits in a wide variety of habitats, including shrublands, woodlands, riparian habitats and annual grassland. Warm, sunny, open areas are a main habitat requirement, along with patches of loose soil where the lizard can bury itself. This species is a federal species of concern and a California Species of Special Concern. The California horned lizard is known to occur in many habitat types on former Fort Ord, and ~~there is suitable habitat for this species within the Specific Plan area~~ except where there are buildings, most of the Specific Plan area may provide suitable habitat for this species.

Comment S-27: Comment #9: Given that this species has been found within all natural habitats on Fort Ord that exist in the Specific Plan area and within back yards and front yards of homes inside Marina, pg. 6-11 should be revised to state "Potential habitat for this species is present in the mixed maritime chaparral, intact maritime chaparral, chaparral/coastal scrub/oak woodland mosaic, Chaparral/ruderal mosaic, oak woodland, and developed/disturbed habitat in the Specific Plan area." Or more simply, the DEIR could state "Potential habitat for this species is present in all habitat types within the Specific Plan area, including development/disturbed."

RESPONSE S-27: Comment noted. On DEIR page 6-11, the text of the third paragraph has been modified to read as follows:

The black legless lizard is a federal species of concern and a state Species of Special Concern. Legless lizards are fossorial animals that burrow in sand and leaf litter beneath plants and feed on insects and other invertebrates. The black legless lizard is found in loose, friable sandy soils in a variety of habitat types.

Potential habitat for this species is present in ~~the mixed-maritime chaparral habitat in all habitat types within~~ in the Specific Plan area, including development/disturbed.

Comment S-28: Comment #10: Because of complications with the ability to do prescribed burning, it may or may not be necessary to significantly revise the HMP. Therefore, it is misleading to say at this time that the loss of HMP species within the project area is "accommodated" by the HMP or that mitigation "was provided through establishment" of habitat reserves elsewhere. To date the only habitat reserves that have been "established" on Fort Ord are the 7200 acres of BLM-administered public lands and approximately 1000 acres of UC Reserve lands. The 7200 acres of BLM lands only have one acre of occupied sand gilia habitat and less than 3 acres of occupied Monterey spineflower habitat. Therefore in regards to these two federally and/or state-listed species, the Marina Heights project area supports 13 times more acreage of occupied habitat for Monterey spineflower (42 acres compared to less than three acres) and at least 20 times more important for sand gilia (23 acres compared to one acre). UC Reserve has more acres of occupied habitat of each of these species but the invasion of annual non-native grasses is seen as a significant threat to the long-term survival of Monterey spineflower and sand gilia on these UC Reserve lands. The vast majority of these two listed species occur on what are still Army-administered lands and, though development preparations are on-going for those lands planned by the HMP for development, there is great uncertainty about whether the Army and future land owners of habitat reserve lands will be able to manage for these listed species due to the complications regarding the ability to burn. Therefore any discussion of the HMP providing mitigation sufficient for the proposed loss of these species on marina heights and other development parcels is irrelevant until such time as the HMP and IA documents are signed by all participating parties. This is correctly stated on pg 6-14, "Until the HCP and IA are executed, the loss of state or federally-listed species must be addressed on a project-by-project basis". The City of Marina and/or the developer have the responsibility to ensure the CEQA review process includes properly timed and comprehensive species-specific surveys conducted with maps produced showing where a;; special-status, CEQA-covered species occur and plan to avoid wherever possible impacts to these species as a first resort, as well as provide detailed plans of mitigation where avoidance is not possible.

RESPONSE S-28: Complications associated with the implementation of a prescribed burn program have affected the U.S. Army's ability to continue to transfer certain lands at the former Fort Ord. However, the Army is making every effort to address the issues, and is proceeding with its planning under the assumption that land transfer will continue in accordance with the Fort Ord Base Reuse Plan. In spite of these

complications, the Fort Ord HMP has been, and continues to be, the template for establishing appropriate habitat reserve lands and appropriate developable areas for the successful reuse of the former Fort Ord based on a long history of assessment. The HMP has been approved by the U.S. Fish and Wildlife Service as the basis for consultation with the Army under the federal Endangered Species Act, and has been signed by various participatory agencies, organizations and jurisdictions. To suggest that the mitigation provided by the HMP is irrelevant undermines the validity of the HMP as a key habitat planning document for the former Fort Ord. There are no set schedules or formulas for allowable ratios of acres affected by development to acres preserved on a site-specific, specie-by-species basis in the HMP. Rather, the HMP is a base-wide strategy to insure that adequate habitat reserves are established that support the full range of HMP species to sustain those species and to compensate for losses from development and reuse of the base.

The Fort Ord HCP and IA are intended to provide additional coverage to local jurisdictions and others in the form of incidental take authorization, as required for state- and federally-listed species. As this comment (and the DEIR) correctly state: “Until the HCP and IA are executed, the loss of state- or federally-listed species must be addressed on a project-by-project basis.” In the absence of a signed HCP/IA, the DEIR recommends separate take authorization for the one listed species that would require such authorization (sand gilia).

As discussed above, reconnaissance-level surveys were considered adequate for the purposes of CEQA analysis of the Specific Plan. Given that the Marina Heights Specific Plan area is designated for development with no restrictions by the Fort Ord HMP, and following the stated assumptions in the DEIR, no further assessment for species other than sand gilia is required for the purposes of CEQA.

Comment S-29: Comment #11: References to proposed mitigation for loss of sand gilia (Mitigation 6.1, pg 6-16) appears to be insufficiently specific as regards restoration or creation of habitat. Simply referring to the concept of off-site mitigation is not enough. There should be every effort made to first avoid impacts, then to mitigate on-site, and only as a last resort to mitigate off-site. Without more discussion and solutions specified in detail this mitigation as proposed would not seem to lower the impact to less than significant. Similarly for Monterey spineflower, simply collecting seed and stating that it should be used for restoration efforts on reserve lands off-site would not reduce the impact to less than significant.

RESPONSE S-29: With a signed HCP and IA in place, no restoration or creation of habitat for gilia would likely be required for areas that are designated for development with no restrictions. In the absence of those documents, the nature and extent of mitigation required for sand gilia is appropriately determined in consultation with the California Department of Fish and Game. Off-site mitigation is one of several alternatives that could be pursued at the former Fort Ord. Sites such as the former Fort Ord landfill provide some opportunity and precedent as acceptable sites for gilia mitigation. Other alternatives include in-lieu fees as compensation, contributions toward gilia restoration on existing habitat reserve areas, or avoidance and on-site mitigation as this comment suggests. Early consultation with CDFG is recommended, especially if the latter alternatives are pursued. Avoidance and on-site mitigation could require substantial Specific Plan redesign.

As discussed previously, the DEIR assumes that the loss of Monterey spineflower in HMP-designated development areas is mitigated through the set aside and management of HMP-designated habitat reserve areas in other parts of the former Fort Ord. Pre-construction seed salvage for Monterey spineflower was recommended as an additional mitigation measure in conformance with related Marina General Plan sections. No mitigation ratios were necessary, and general guidance for appropriate use of salvaged seed was provided.

Comment S-30: Comment #12: There is not Resulting Level of Significance for impacts to Monterey spineflower on pg. 6-17. This may be an oversight.

RESPONSE S-30: As indicated in DEIR page 6-17, since implementation of the Specific Plan has no federal nexus, there is no conflict with the take provisions of the federal Endangered Species Act (ESA) and independent authorization from U.S. Fish and Wildlife Service (USFWS) is not required. This means that removal of Monterey spineflower would not represent a significant environmental impact under the significance criteria listed on DEIR page 6-13, and no mitigation would be required. **Mitigation 6.2: Seed Collection** (DEIR page 6-16 through 6-17) is recommended as a means of assisting efforts to sustain this species, but is not required to mitigate any Specific Plan-related environmental impact in the DEIR.

Comment S-31: Comment #13: "Implementation of the Specific Plan would not interfere substantially with the movement of any native resident or migratory...wildlife species or with established native resident or migratory wildlife corridors... (because...the corridor

identified within the Specific Plan...provides a means to enhance the distribution of seeds to enhance the genetic diversity of special status plant species, and does not function as a wildlife corridor serving migratory species r special-status native wildlife species)."

RESPONSE S-31: This is an abbreviated quote from the DEIR, rather than a comment. No response is required.

Comment S-32: Comment #14: This paragraph is not accurate. Native resident species and migratory wildlife species that use the relatively open areas such as the mixed maritime chaparral, intact maritime chaparral, chaparral/coastal scrub/oak woodland mosaic, or chaparral/ruderal mosaic would likely be interfered with substantially by the removal of these habitats as proposed by the Specific Plan. Special status species such as coast horned lizard and loggerhead shrike would have substantially less available habitat if the Specific Plan were implemented as compared to current conditions. Migratory songbirds would be interfered with substantially because such a large percentage of the natural habitat is proposed to be removed in the Specific Plan. The number and diversity of migratory and resident bird species that could utilize the reduced available habitat would also be reduced. California thrashers (a resident bird species of distinct charm and song!) for instance would likely use the project area much less due to the removal of all 99 acres of mixed maritime chaparral. Birds not able to nest in the reduced natural habitat areas would have to avoid the project area and locate in another location. This is substantial interference.

RESPONSE S-32: Comments noted. Implementation of the Specific Plan would displace habitat that is currently used by a variety of wildlife. However, in the development of the Fort Ord HMP, primary corridor connections between major habitat areas were identified and formed the framework for base-wide habitat linkages. These habitat corridors were designated as such in the HMP. The habitat areas within the Specific Plan area were not included in that base-wide framework (either as major habitat areas or linkages). Based on the HMP, the DEIR determined that the Specific Plan would not substantially (i.e., in a base-wide sense) interfere with wildlife movement or established wildlife corridors.

Comment S-33: Comment #15: The natural area corridor identified in the Specific Plan could not possibly enhance the distribution of seeds to enhance or enhance the genetic diversity of special status plant species because this corridor already exists. The only way it could lead to such enhancement is if the Specific Plan added something or proposed to enhance the corridor's habitat value to one or more wildlife species. The Specific Plan does

not do this. In fact the Specific Plan would substantially degrade the ability of plant species in the project area to distribute seeds because the Specific Plan would remove 99 acres of mixed maritime chaparral and an unspecified but approximate 15 acres of open habitat elsewhere (the "linear swath" in the NE boundary area, part or all of the cypress/pine grove, two stands of intact but undisclosed locations of maritime chaparral) while only maintaining 35 acres of greenspace in the 248-acre project area.

RESPONSE S-33: Comment noted. Implementation of the Specific Plan would decrease the ability of plant species in the Specific Plan area to distribute seeds because many of those plant species would be removed. This is one reason why the General Plan Consistency Alternative was selected as the environmentally superior alternative.

In response to this comment, the text of the third paragraph on DEIR page 11-6 has been modified to read as follows:

- Implementation of the Specific Plan would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (because no native wildlife nursery sites have been identified within the Specific Plan area and because the corridor identified within the Specific Plan area in the General Plan Land Use Map ~~provides a means to enhance the distribution of seeds to enhance the genetic diversity of special status plant species, and~~ does not function as a wildlife corridor serving migratory species or special status native wildlife species).

Comment S-34: Comment #16: Please remove the verbage on DEIR pg. 11-6 which is referred to above and instead disclose the impacts from the project to native plant species' ability to distribute seeds throughout the project area and the impacts to resident and migratory birds that would occur on the project site as a result of the proposed removal of the majority of natural habitats within the project area.

RESPONSE S-34: Request noted. See **RESPONSE S-32** and **RESPONSE S-33**, above.

Comment S-35: Comment #1: Does a scenic resource have to be "formally identified" by some process to be considered a scenic resource? If so, what is this process?

RESPONSE S-35: Local jurisdictions sometimes formally identify scenic resources and scenic vistas as part of their General Plans. Although the City of Marina has not formally identified any scenic resources or scenic vistas, the Marina General Plan includes the following policy language in addressing “Scenic and Cultural Resources” that provides some indication of what might be considered “scenic vistas” in Marina: “3. The visual character and scenic resources of the Marina Planning Area should be protected for the enjoyment of current and future generations. To this end, ocean views from Highway 1 should be maintained to the greatest possible extent; development on the primary ridgeline of the Marina dunes shall be avoided; new development proposed for the Armstrong Ranch shall maintain an adequate setback from Highway 1; landscape screening and restoration shall be provided as appropriate; the scenic views of inland hills from Highway 1, Reservation Road, and Blanco Road should be retained; and architectural review of projects shall continue to be required to ensure that building design and siting, materials, and landscaping are visually compatible with the surrounding area.” Nothing in this General Plan section suggests that the view of the Specific Plan area from any viewpoint represents a “scenic resource” or a “scenic vista”. In the absence of a definition of “scenic vista” that is accepted universally, the DEIR relies on Marina planning policies to identify scenic vistas to determine whether development of the Specific Plan area as proposed would have a substantial adverse effect on a scenic vista or not.

Comment S-36: Comment #2: The proposed removal by grading of all 99 acres of mixed maritime chaparral (DEIR pg. 6-15) implies that all oak and other trees in those 99 acres will also be removed. Although this natural habitat and these trees may not be formally identified as a scenic resource they are to many people especially those who currently live within view of these scenic resources. My mother says the single most important reason she loves her home is the view of the natural areas she can see from her kitchen window. I have spoken with residents whose homes border the project area and they have told me one of their biggest concerns about the proposed Marina Heights project is the potential loss of trees from their view. Many future residents of Marina Heights will also likely cherish the view of majestic oaks, cypress, pines, and green areas of natural maritime chaparral where these scenic resources are left intact.

RESPONSE S-36: Opinion regarding the scenic value of existing vegetation within the Specific Plan area is noted.

Comment S-37: Comment #3: Please revise the DEIR/FEIR to consider the proposed loss of trees and natural habitats as a significant impact. Also include in the DEIR/FEIR a map of all natural habitats and trees larger than 6 inches in diameter at breast height proposed for removal so that it is properly disclosed how many acres and trees and the locations of natural habitats and trees proposed for removal. This would allow the public to comment from a more educated perspective on the significance of the proposed removal of these resources and to potentially offer alternatives that would reduce the need to remove these resources.

RESPONSE S-37: Request noted. The DEIR has not been modified as requested.

Comment S-38: Comment #1: I could not find any maps in the DEIR showing any of the last three of these undeveloped areas listed above. It appears likely however that all five of these undeveloped areas add up to more than 125 acres which would be more than 50% of the total 248-acre project area. Therefore, the loss of any significant portion of these undeveloped areas would reasonably be considered a substantial degradation of visual character or quality of the site. The Specific Plan proposes to remove all 99 acres of mixed maritime chaparral (DEIR 6-15), build upon the linear swath of mixed habitats mentioned above (DEIR Fig. 12-2), and may or may not remove two stands of intact maritime chaparral and the grove of planted Monterey pine and cypress.

RESPONSE S-38: As indicated in the DEIR, the Specific Plan area is not a pristine natural environment, but an area that was extensively developed to support military housing while Fort Ord was in active use. Although the existing vegetation within the Specific Plan area provides much of the visual character of the site, much of it was planted by the U.S. Army at the time the existing housing units were being developed, and many of the larger trees present today have grown to maturity since that time. The aerial photograph of the Specific Plan area in its present condition (DEIR Figure 1.1 on page 1-2) provides an accurate indication of the extent of existing development within the Specific Plan area, and the extent of heavily vegetated areas. Development of the Specific Plan area as proposed would result in the removal of much of the vegetation currently present on-site. As indicated on DEIR page 8-15, the general visual character of the site would change significantly as a result of Specific Plan implementation, in that after implementation the Specific Plan area would contain a large number of new homes, as well as new landscaping associated with these homes. In the DEIR, the visual effects associated with demolition of existing, deteriorating housing units (to be replaced with new homes), or the removal of existing vegetation (to be replaced by new landscaping, which will grow to maturity over time, given

proper care) are not regarded as substantially degrading to the visual character of the Specific Plan area. This position is stated with the realization that there may be a range of opinions regarding what represents either an improvement to visual character and what represents a detriment to visual character.

Comment S-39: Comment #2: Please revise the DEIR/FEIR to include this potential damage to visual character or quality as a significant environmental impact. Also include a map showing the locations of the five undeveloped resources mentioned above and whether each would be lost or retained.

RESPONSE S-39: Requests noted. The DEIR has not been modified as requested.

LETTER T

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USA

CITY OF MARINA

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PLANNING

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Subject: Marina Heights EIR

Notes: Requirements of Senate Bill 610

It has come to my attention that the Marina Heights EIR is not legally adequate unless the requirements of Senate Bill 610 are met. That is, Marina Coast Water District has supplied to the City of Marina it's "Water Assessment" Document. As required by SB610.

T-1

If this document is not included please justify it's exclusion.

It is my concern that the issues relating to the known toxic plume and existence of TCE in the to be used water supply are not being adequately addressed.

T-2

The Requirements of Senate Bill 610 if met will insure that any water issues that need to be known will be fully disclosed.

T-3

Respectfully Submitted



Robert D. "Dan" O'Brien,

dan@fastisfun.com

Letter T: Robert D. "Dan: O'Brien, August 18, 2003.

Comment T-1: It has come to my attention that the Marina Heights EIR is not legally adequate unless the requirements of Senate Bill 610 are met. That is, marina Coast Water District has supplied to the City of Marina it's "Water Assessment" Document. As required by SB610.

If this document is not included please justify it's exclusion.

RESPONSE T-1: The central purpose of Senate Bill 610 is to ensure that local decision-makers can determine whether there will be sufficient water to support large development projects that have been proposed. Under CEQA Guidelines related to consultation with water agencies (Section 15083.5), when a water agency receives a Notice of Preparation (NOP) for a project that meets the criteria established in Section 15083.5(a), it shall approve and submit its water supply assessment to the city within 30 days after receipt of the NOP. The Marina Heights Specific Plan would meet those criteria. This assessment would indicate whether the projected water demand associated with the proposed project was included in its last urban water management plan and assess whether its total projected water supplies available during normal, single-dry, and multiple-dry water years as included in the 20-year projection contained in its urban water management plan will meet the projected water demand associated with the proposed project, in addition to the system's existing and planned future uses. If the agency fails to submit its assessment within the allotted time, the lead agency may assume that the agency has no information to submit. In this instance, there was no response to the NOP from the Marina Coast Water District. Section 15083.5(e) indicates that the lead agency may independently evaluate the water system's information to determine whether projected water supplies will be sufficient to satisfy the demands of the proposed project, in addition to existing and planned future uses.

The DEIR (page 10-11) indicates that implementation of the Specific Plan as proposed would create a water supply demand within the Marina Heights Specific Plan area in excess of that anticipated under the Marina General Plan. Since the Specific Plan area would be one of the first portions of the former Fort Ord to be redeveloped within Marina, the existing water allocation for the Marina portion of the former Fort Ord is large enough to provide for the anticipated demand associated with the Marina Heights Specific Plan, so there is no significant impact to the water supply associated with the implementation of the Specific Plan. However, if adequate water to meet the demands of the Marina Heights development is provided from the existing water allocation, then this could affect the scope of future development in other portions of the former Fort Ord that has also been anticipated under the Marina General Plan (i.e., University

Village West and University Village North), since a reduced supply of water would be left to support such development under the existing allocation.

In the absence of a formal water supply assessment from the Marina Coast Water District, the DEIR provides a discussion of the issues to be considered if the existing water supply allocation within the former Fort Ord is distributed in ways other than anticipated under the Marina General Plan. As indicated in comments received on the DEIR, and in public hearings discussing the proposed Specific Plan, much attention has been directed on the issue of adequate water supply. In considering the Specific Plan and other development projects within the former Fort Ord, local decision-makers will have to determine how best to distribute the water available from a finite allocation, in keeping with the central purpose of SB 610.

Comment T-2: It is my concern that the issues relating to the known toxic plume and existence of TCE in the to be used water supply are not being adequately addressed.

RESPONSE T-2: Groundwater contamination on and in the vicinity of the Specific Plan area is addressed in DEIR Chapter 7. Although there are extraction/monitoring wells located at the Specific Plan area associated with the groundwater remediation effort, these are not used for water supply purposes, and would not provide water to residents within the Specific Plan area or elsewhere.

In the 2002 Consumer Confidence Report for the Ord Community Water System, the Marina Coast Water District addressed trichloroethylene (TCE) as follows: "The U.S. Army operates a network of groundwater monitoring wells to track the ongoing cleanup progress of the TCE cleaning solvent contamination plume from the now closed landfill. In addition to quarterly monitoring of the groundwater monitoring wells, the drinking supply wells #29, #30 and #31 are monitored quarterly. In 2002, low level (below MCL) TCE was detected in the Ord Community supply well #29 only. In February 2003, a water sample was taken from the Sand Tank reservoir in which drinking water from wells #29, #30 and #31 is blended for the Ord Community distribution system. No volatile organic chemicals (VOC's) including TCE were detected in the analysis."

Comment T-3: The requirements of Senate Bill 610 if met will insure that any water issues that need to be known will be fully disclosed.

RESPONSE T-3: Comment noted.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
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LETTER U



CITY OF MARINA

August 18, 2003

AUG 21 2003

MON-001-84.48

SCH# 2003021012

PLANNING

Haywood Norton
Senior Planner
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

SUBJECT: Marina Heights/Abrams "B" Housing Project Draft EIR Comments

Dear Mr. Norton:

The California Department of Transportation (Department) District 5 has reviewed the Draft Environmental Impact Report (EIR) for the proposed Marina Heights/Abrams "B" Housing Project. The 248-acre project site is located northwesterly of Imjin Parkway (formerly Imjin Road) and southerly of Reservation Road within the former Fort Ord military base. The Marina Heights portion of the project would consist of the construction of 1,050 new residential units and improvements to a 28-acre community park/elementary school site. The Abrams "B" portion of the project would involve upgrades to the existing 194-unit former Army residential area to comply with current City regulations. District 5 staff offers the following comments for your consideration:

- 1) As indicated in our comment letter dated March 3, 2003 on the Notice of Preparation (NOP), the Department's level of service (LOS) policies should be used in the traffic analysis to determine the significance of any project's impact to the state highway system. The Department endeavors to maintain a target LOS at the transition between LOS C and LOS D (i.e. not worse than LOS C) on state highway facilities. Therefore, the LOS standards for the state highway segments and intersections in Table 3-2 and Table 3-3 respectively should be revised accordingly. U-1
- 2) Table 3-2 indicates that southbound Route 1 south of 12th Street during the a.m. peak hour and northbound Route 1 south of 12th Street during the p.m. peak hour operates at LOS D. According to recent traffic data collected by District 5 staff, it should be noted that this freeway segment during the a.m. and p.m. peak hours already operates at LOS F. U-2
- 3) The peak hour volume forecasts for Route 1 south of Del Monte Boulevard and south of 12th Street in Table 3-2 do not appear to be accurate. For example, Table 3-2 indicates that the southbound Route 1 volumes for these two freeway segments during the a.m. peak hour under "Cumulative Conditions" are lower than "Baseline Conditions". Conversely, Table 3-2 indicates that the northbound Route 1 volumes for these two freeway segments during the p.m. peak hour under "Cumulative Conditions" are lower than "Baseline Conditions". The traffic forecasts for these freeway segments should be re-evaluated and the corresponding LOS for the Route 1 segments and interchanges should be re-calculated accordingly. U-3

- 4) The traffic analysis in the Draft EIR (including Table 3-4) identifies intersection improvements at the following state highway intersections: Route 1 Southbound Ramp/Reservation Road; Route 1 Northbound Ramp/Reservation Road; Route 1 Northbound Ramp/12th Street; and the Route 1 Southbound Ramp/12th Street. The Draft EIR does not identify these intersection improvements as project traffic mitigation measures since these improvements are warranted under either "Existing Conditions" or "Baseline Conditions". However, because the proposed project will add new vehicle trips to these impacted state highway intersections, the project applicant should be responsible for its "fair share" of these intersection improvements. Therefore, the Draft EIR should be revised to include the following traffic mitigation measures: U-4
- A. The project applicant should pay a "fair share" towards the installation of a traffic signal at the Route 1 Southbound Ramp/Reservation Road intersection;
 - B. The project applicant should be conditioned to bond for a "fair share" of the installation of a traffic signal at the Route 1 Northbound Ramp/Reservation Road intersection for a period of ten years. If District 5 determines that the traffic signal is not necessary, the bond should be refunded to the applicant. [It should be noted that Table 3-4 indicates that this intersection will still operate at an unacceptable LOS D even with signalization. The other feasible improvements that are necessary to make this intersection operate at an acceptable LOS should also be identified as part of the traffic mitigation for this intersection.];
 - C. The project applicant should pay a "fair share" towards the ramp modifications and other lane configurations at the Route 1 Northbound Ramp/12th Street intersection as identified in the Draft EIR (Table 3-4) [It should be clarified if these improvements are part of the Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP).]; and
 - D. The project applicant should pay a "fair share" towards the installation of a traffic signal and the lane reconfiguration at the Route 1 Southbound Ramp/12th Street intersection as identified in the Draft EIR (Table 3-4).

It is recommended that the methodology in the Department's "Guide for the Preparation of Traffic Impact Studies" be used as a guide in calculating the "fair shares" for these state highway improvements (refer to the attachment in our March 3, 2003 letter). The payment of "fair shares" towards these improvements should render the project's contribution to the state highway system to less than cumulatively considerable levels in accordance with Section 15130 of the CEQA Guidelines. Proof of payment of these "fair shares" should be provided to the District 5 Development Review Branch as part of the project mitigation monitoring program.

- 5) Our Department concurs with the statement in the Draft EIR (page 3-74) that the project applicant should contribute towards the cost of the Route 1 improvements identified in the recent Project Study Report (PSR) for the Route 1 Corridor between Route 218 and Light Fighter Drive. The Route 1 improvements identified in this PSR included the construction of a new interchange on Route 1 between Fremont Boulevard and Light Fighter Drive (referred to as the Route 1/Monterey Road Interchange). However, our Department has received verification from the Department of the Army that it does not support the construction of the proposed Route 1/Monterey Road Interchange. As a result, the payment of a "fair share" towards this proposed interchange is not appropriate. U-5

The Draft EIR should be revised to include traffic mitigation measures to require that the project applicant pay a pro rata share towards the other Route 1 improvements identified in the PSR, including the ramp modifications at the Route 1/Fremont Boulevard interchange and the widening of Route 1 from four lanes to six lanes between Fremont Boulevard and Route 218. While the ramp modifications at the Route 1/Fremont Boulevard interchange may not be included in the current FORA CIP, the payment of a "fair share" towards these improvements is consistent with Section 15130 of the CEQA Guidelines and is also consistent with the proposed cumulative traffic mitigation in the City of Seaside's First Tee Golf Course Project, which is also located within Fort Ord in close proximity to this project site. Proof of payment of these "fair shares" should be provided to the District 5 Development Review Branch as part of the project mitigation monitoring program.

District 5 would like to receive a copy of the response to our comments and/or the Final EIR document. In addition, we would like to request a copy of any subsequent notices and staff reports on this project and the Final Conditions of Approval. If you have any questions, you may call me at (805) 542-4751.

Sincerely,



Mike Galizio
District 5
Development Review Branch

cc: Jeffrey Dack, City Planning; Charles Johnson, City Public Works; Carl Sedoryk, MST;
Andy Cook, TAMC; Todd Muck, AMBAG; David Murray, District 5; Roger Barnes, District 5

Letter U: Mike Galizio, California Department of Transportation, 8/18/03.

Comment U-1: 1) As indicated in our comment letter dated March 3, 2003 on the Notice of preparation (NOP), the Department's level of service (LOS) policies should be used in the traffic analysis to determine the significance of any project's impacts to the state highway system. The Department endeavors to maintain a target LOS at the transition between LOS C and LOS D (i.e. not worse than LOS C) on state highway facilities. Therefore, the LOS standards for the state highway segments and intersections in Table 3-2 and Table 3-3 respectively should be revised accordingly.

RESPONSE U-1: Comment noted. **Revised Table 3-3 (Exhibit 6) and Revised Table 3-4 (Exhibit 7)** are included in the **REVISIONS** section of this document. The changes have no impact on the results of the analysis, with the exception of the mitigation recommended at the Reservation Road/Northbound Highway 1 intersection, as discussed in **RESPONSE U-4**, below.

Comment U-2: 2) Table 3-2 indicates that southbound Route 1 south of 12th Street during the a.m. peak hour and northbound Route 1 south of 12th Street during the p.m. peak hour operates at LOS D. According to recent traffic data collected by District 5 staff, it should be noted that this freeway segment during the a.m. and p.m. peak hours already operates at LOS F.

RESPONSE U-2: The Highway 1 segment immediately south of 12th Street does not operate at LOS F, while Highway 1 segments further south experience LOS F operations in the AM or PM peak commute hour. The results of travel time runs collected by Caltrans on Highway 1 south of Marina are presented on **FEIR Exhibit A** (see Revisions section). Based on the average travel speed determined by the travel time data, southbound Highway 1 between Fort Ord Main (Lightfighter) interchange and the Route 218 interchange currently operates at LOS F during the AM peak hour. The segment between the Route 218 interchange and the Route 68 East interchange currently operates at LOS E during the AM peak hour in the southbound direction. During the PM peak hour, northbound Highway 1 between the Aquajito Road interchange and the Route 218 interchange operates at LOS F and between Route 218 Fremont Boulevard at LOS E. The Highway 1 segment south of 12th Street operates at LOS D in the southbound direction during the AM peak hour and the Highway 1 segment south of 12th Street operates at LOS A in the northbound direction during the PM peak hour based on the travel time study average travel speed.

Comment U-3: 3) The peak hour volume forecasts for Route 1 south of Del Monte Boulevard and south of 12th Street in Table 3-2 do not appear to be accurate. For example, Table 3-2 indicates that the southbound Route 1 volumes for these two freeway segments during the a.m. peak hour under Cumulative Conditions are lower than "Baseline Conditions". Conversely, Table 3-2 indicates that the northbound Route 1 volumes for these two freeway segments during the p.m. peak hour under "Cumulative Conditions" are lower than "Baseline Conditions". The traffic forecasts for these freeway segments should be re-evaluated and the corresponding LOS for the Route 1 segments and interchanges should be recalculated accordingly.

RESPONSE U-3: The 2020 traffic forecasts were based on the land use estimates provided by the City of Marina and the Street network identified in the FORA Capital Improvement Program (CIP) for FY 2002/2003 through 2012-2022 and the draft 2003 CIP update. The street network identified in the FORA CIP includes new and upgraded facilities within the vicinity of the Specific Plan area. The regional traffic forecasting model also includes the Highway 68 Bypass. These projects will divert traffic away from Highway 1 south of Del Monte Boulevard and south of 12th Street.

Comment U-4: 4) The traffic analysis in the Draft EIR (including Table 3-4) identifies intersection improvements at the following state highway intersections: Route 1 Southbound Ramp/Reservation Road; Route 1 Northbound Ramp/Reservation Road; Route 1 Northbound Ramp/12th Street; and the Route 1 Southbound Ramp/12th Street. The Draft EIR does not identify these intersection improvements as project mitigation measures since these improvements are warranted under either "Existing Conditions" or "Baseline Conditions". However, because the proposed project will add new vehicle trips to these impacted state highway intersections, the project applicant should be responsible for its "fair share" of these intersection improvements. Therefore, the Draft EIR should be revised to include the following traffic mitigation measures:

- A. The project applicant should pay a "fair share" towards the installation of a traffic signal at the Route 1 Southbound Ramp/Reservation Road intersection;*
- B. The project applicant should be conditioned to bond for a "fair share" of the installation of a traffic signal at the Route 1 Northbound Ramp/Reservation Road intersection for a period of ten years. If District 5 determines that the traffic signal is not necessary, the bond shall be refunded to the applicant. [It should be noted that Table 3-4 indicates that this intersection will still operate at an unacceptable LOS D even with signalization. The other feasible improvements that are necessary to make this intersection operate at*

an acceptable LOS should be identified as part of the traffic mitigation for this intersection.];

- C. The project applicant should pay a "fair share" towards the ramp modifications and other lane configurations at the Route 1 Northbound Ramp/12th Street intersection as identified in the Draft EIR (Table 3-4) [It should be clarified if these improvements are part of the Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP)]; and*
- D. The project applicant should pay a "fair share" towards the installation of a traffic signal and the lane reconfiguration at the Route 1 Southbound Ramp/12th Street intersection as identified in the Draft EIR (Table 3-4).*

It is recommended that the methodology in the Department's "Guide for the Preparation of Traffic Impact Studies" be used as a guide in calculating the "fair shares" for these state highway improvements (refer to the attachment in our March 3, 2003 letter). The payment of "fair shares" towards these improvements should render the project's contribution to the state highway system to less than cumulatively considerable levels in accordance with Section 15130 of the CEQA Guidelines. Proof of payment of these "fair shares" should be provided to the District 5 Development Review Branch as part of the project mitigation monitoring program.

RESPONSE U-4: Recommendations noted. The installation of traffic signals at the Highway 1/Reservation Road interchange is included in the City of Marina CIP, and payment of City of Marina traffic impact fees would fully mitigate Specific Plan-related impacts to the Reservation Road intersections with the ramp intersections.

The level of service calculations documented in the DEIR for the Highway 1 Northbound Ramp/Reservation Road intersection under Cumulative Conditions with signalization does not account for RTOR movements at the intersection. When right-turn-on-red movements from westbound Reservation Road to northbound Highway 1 are considered in the calculations, the PM peak hour intersection level of service improves to LOS C under Cumulative Conditions with and without implementation of the Specific Plan. A right turn lane is provided on the westbound Reservation Road approach to the northbound Highway 1 ramps. The movements that conflict with the westbound right turn movement (i.e., the left turn and through movement from the northbound Highway 1 off-ramp) are very low during the PM peak hour and the predominant movement from the northbound off-ramp is the right turn movement. Vehicles turning from westbound Reservation Road to northbound Highway 1 will be able to turn right on a red signal after a stop for most of the northbound Highway 1

off-ramp signal cycle green phase. The Cumulative Condition level of service calculations were recalculated to account for right-turn-on-red. The volume of traffic turning right from westbound Reservation Road to northbound Highway 1 for the cumulative with and without project conditions were discounted by 60 vehicles (about 1 right turn on red per every two actuated cycle length). With this assumption, the Cumulative Condition without project PM peak hour level of service improves to "C" with an average of 31.0 seconds of delay per vehicle and the Cumulative Condition With Project PM peak hour level of service improves to "C" with an average of 29.4 seconds of delay per vehicle. Therefore, additional intersection improvements would not be required at the intersection under Cumulative Conditions.

The Highway 1 Southbound Ramp/12th Street intersection improvement is not currently listed in the FORA CIP, and a funding mechanism has not been identified. In reviewing the CIP each year, FORA has the opportunity to update the list of transportation improvement projects, and this improvement could be added to the CIP when conditions warrant. The Highway 1/Northbound off-ramp is currently being reconstructed as part of the 12th Street (Imjin Parkway) upgrade project. This improvement is being funded by FORA fees, which the Project Applicant will pay.

Comment U-5: 5) Our Department concurs with the statement in the Draft EIR (page 3-74) that the project applicant should contribute towards the cost of the Route 1 improvements identified in the recent Project Study Report (PSR) for the Route 1 Corridor between Route 218 and Light Fighter Drive. The Route 1 improvements identified in this PSR included the construction of a new interchange on Route 1 between Fremont Boulevard and Light Fighter Drive (referred to as the Route 1/Monterey Road Interchange). However, the Department has received verification from the department of the Army that it does not support the construction of the proposed Route 1/Monterey Road Interchange. As a result, the payment of a "fair share" towards this proposed interchange is not appropriate.

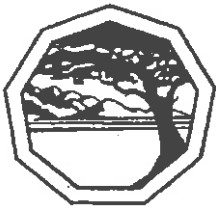
The Draft EIR should be revised to include traffic mitigation measures to require that the project applicant pay a pro rata share towards the other Route 1 improvements identified in the PSR, including the ramp modifications at the Route 1/Fremont Boulevard interchange and the widening of Route 1 from four lanes to six lanes between Fremont Boulevard and Route 218. While the ramp modifications at the Route 1/Fremont Boulevard interchange may not be included in the current FORA CIP, the payment of a "fair share" towards these improvements is consistent with Section 15130 of the CEQA Guidelines and is also consistent with the proposed cumulative traffic mitigation in the City of Seaside's First Tee Golf Course Project, which is also located within Fort Ord in close proximity to this project

site. Proof of payment of these “fair shares” should be provided to the District 5 Development Review Branch as part of the project mitigation monitoring program.

RESPONSE U-5: Recommendation noted. The recent change in the status of the Highway 1/Monterey Road Interchange project should be included in the traffic study. The improvements described in the PSR are as follows:

1. Phase 1 – Monterey Road Interchange.
2. Phase 2A – California Avenue Improvements from southbound off-ramp to Monterey Bay Shores.
3. Phase 2B – Old Monterey Road-Fremont Blvd. Connection to Del Monte.
4. Phase 2C – complete local road improvements at California Avenue and Fremont Boulevard.
5. Phase 2D – Improve NB on ramp to two lanes with a Fremont Boulevard connection.
6. Phase 3 – SB on ramp improvements at California Avenue.
7. Phase 4 – Widen Route 1 to six lanes from Canyon Del Rey to Fremont Boulevard and widen to four lanes in the northbound direction from Fremont to Monterey Road and three lanes in the southbound direction.

No. 7 is included in the FORA CIP fee. Caltrans advises that they do not consider No. 1 as a viable project at this time. Implementation of the Specific Plan would add trips to improvements No. 2, No. 4 and No. 5.



FORT ORD REUSE AUTHORITY

100 12TH STREET, BUILDING 2880, MARINA, CALIFORNIA 93933

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LETTER V

August 18, 2003

Mr. Haywood Norton, Senior Planner
City of Marina, City Hall
211 Hillcrest Avenue
Marina, CA 93933

CITY OF MARINA

AUG 18 2003

PLANNING

Dear Mr. Norton:

This constitutes our initial comments to the Draft Environmental Impact Report (EIR) for the Marina Heights Specific Plan/Abrams "B" Housing Project, as circulated by the City of Marina. We have reviewed the draft EIR and have the following comments to make:

1. Noting the Traffic and Circulation Plan, and Vehicular Circulation documentation, including Figure 3-2, we would note that the Fort Ord Reuse Plan and EIR, and adopted Capital Improvement Plan (CIP), provide documentation regarding basewide traffic impacts expected to result from development allowed by the Reuse Plan, and mitigates for such impacts. To the extent that the proposed Specific Plan proposes any alternatives to the road alignment contemplated in the Reuse Plan, or makes use of new traffic impact studies to come to conclusions regarding project specific impacts, cumulative or otherwise, we believe that it must be clearly delineated how the mitigation of cumulative and site specific impacts continues to be achieved. V-1
2. In addition, in order to mitigate for basewide impacts of development, and through the mechanism of enacting a Mello-Roos Community Facilities District (CFD), the Fort Ord Reuse Authority has mitigated for the basewide impacts of development. The Marina Heights/Abrams "B" development will be required to pay this impact fee at the appropriate rate in effect at the time development commences, in keeping with the duly approved rates and measures mandated under the CFD. V-2
3. Also in addition, any proposed changes to the City of Marina General Plan, and the Specific Plan document itself, as noted in Table 2-2 of the Marina Heights EIR, must be brought before the Fort Ord Reuse Authority Board to undergo an analysis of the consistency of those proposed changes to the Marina General Plan, and that Specific Plan, to the Fort Ord Reuse Plan, as required by State of California law. V-3

4. Finally, we would be interested in seeing a more full explanation of the impacts of siting a school on or near the former landfill property, as noted at page 2-3.

Thankyou for the opportunity to comment on this document, and we look forward to working with you in the future.

Sincerely,



D. Steven Endsley
Director of Planning and Finance

C: Michael Houlemard
Jim Feeney

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Letter V: D. Steven Endsley, Fort Ord Reuse Authority, 8/18/03.

Comment V-1: Noting the Traffic and Circulation Plan, and Vehicular Circulation documentation, including Figure 3-2, we would note that the Fort Ord Reuse Plan and EIR, and adopted Capital Improvement Plan (CIP), provide documentation regarding basewide traffic impacts expected to result from development allowed by the Reuse Plan, and mitigates for such impacts. To the extent that the proposed Specific Plan proposes any alternatives to the road alignment contemplated in the Reuse Plan, or makes use of new traffic impact studies to come to conclusions regarding project specific impact, cumulative or otherwise, we believe that it must be clearly delineated how the mitigation of cumulative and site specific impacts continues to be achieved.

RESPONSE V-1: The Marina Heights road network is generally consistent with road alignments contained in the FORA Plan and the City of Marina General Plan. The DEIR traffic study documented analyzed traffic intersections at key intersections along Imjin Parkway that provide access to the Specific Plan area as well as other important intersections in the vicinity of the Specific Plan area. The traffic study prepared for the FORA EIR analyzed road segment operations based upon daily traffic volume forecasts. Therefore, the DEIR traffic study provides greater specificity with regard to intersection traffic operations during the peak commute periods.

With buildup of the Specific Plan area as proposed, traffic operations at the following intersections would be unsatisfactory or would meet peak hour volume signal warrant criteria:

1. Southbound Highway 1 Ramps/Reservation Road
2. Imjin Road/Preston Drive
3. Southbound Highway 1 Ramps/12th Street (Imjin Parkway)
4. Northbound Highway 1 Ramps/12th Street (Imjin Parkway)
5. 12th Street (Imjin Parkway)/7th Avenue (formerly 12th Street/Imjin Road)
6. Abrams Drive (South)/12th Street (Imjin Parkway)
7. California Avenue/12th Street (Imjin Parkway)
8. 2nd Avenue/12th Street (Imjin Parkway)
9. Main Street/Imjin Parkway

With the exception of the Southbound Highway 1 Ramps/12th Street (Imjin Parkway) intersection improvement, improvements required to improve operations to acceptable levels would be funded through City of Marina traffic impact fees, FORA traffic impact fees, or will be constructed by the Project Applicant. Improvements

recommended in the DEIR at the Southbound Highway 1 Ramps/12th Street (Imjin Parkway) intersection are not currently funded.

Beside improvements required at the intersections listed above, improvements will be required at the following additional intersections under Cumulative Conditions:

1. Northbound Highway 1 Ramps/Reservation Road
2. Del Monte Boulevard/Reservation Road
3. California Avenue/Reservation Road
4. Salinas Avenue/Reservation Road
5. Reservation Road/Imjin Parkway
6. Reservation Road/Blanco Road
7. Imjin Parkway/Abrams Drive (North)
8. 4th Avenue/12th Street (Imjin Parkway)
9. 3rd Avenue/12th Street (Imjin Parkway)
10. Blanco Road/Research Drive
11. California Avenue/Main Street

The improvements required to improve traffic operations to acceptable levels at the intersections listed above are either currently funded in the Marina CIP or the FORA CIP, with the following exceptions:

1. Del Monte Boulevard/Reservation Road – this improvement is not currently listed in the Marina CIP.
2. Reservation Road/Imjin Parkway – the Blanco Road extension is included in the FORA CIP, but is scheduled for construction after year 2020.
3. Reservation Road/Blanco Road - the Blanco Road extension is included in the FORA CIP, but is scheduled for construction after year 2020.
4. California Avenue/Imjin Parkway – the Marina CIP contains funding for additional lanes on the southbound and northbound California Avenue approaches, but does not contain funding for signalization of the intersection.
5. 4th Avenue/Imjin Parkway – signalization of this intersection is not included in the Marina CIP.

6. Blanco Road/Research Drive – widening Blanco Road ultimately to six lanes at this location is consistent with the finding documented in the FORA EIR, but this improvement is not currently funded for construction.

Specific Plan-related impacts to Highway 1 would be mitigated through payment of FORA fees.

Comment V-2: 2. In addition, in order to mitigate for basewide impacts of development and through the mechanism of enacting a Mello-Roos Community Facilities District (CFD), the Fort Ord Reuse Authority has mitigated for the basewide impacts of development. The Marina Heights/Abrams “B” development will be required to pay this impact fee at the appropriate rate in effect at the time development commences, in keeping with the duly approved rates and measures mandated under the CFD.

RESPONSE V-2: Comment acknowledged.

Comment V-3: 3. Also in addition, any proposed changes in the City of Marina General Plan, and the Specific Plan document itself, as noted in Table 2-2 of the Marina Heights EIR, must be brought before the Fort Ord reuse Authority Board to undergo an analysis of the consistency of those proposed changes to the Marina General Plan, and that Specific Plan, to the Fort Ord Reuse Plan, as required by State of California law.

RESPONSE V-3: Comment noted.

Comment V-4: 4. Finally, we would be interested in seeing a more full explanation of the impacts of siting a school on or near the former landfill property, as noted at page 2-3.

RESPONSE V-4: Although the Conceptual Site Plan for the Marina Heights Specific Plan shows the location of a “Community Park/Elementary School” adjacent to the Specific Plan area (see Figure 1.2 on DEIR page 1-5), as indicated on DEIR page 1-8, the construction of a school at that site is not proposed under the Specific Plan. Because the area identified as a possible school site is not within the Specific Plan area, and development of a school at that site is not proposed as part of the Specific Plan, the environmental effects associated with the placement of an elementary school at that site have not been evaluated in the DEIR. As indicated on DEIR page 2-7, decisions regarding the placement of school facilities in the City of Marina are within the

control of the City and the Monterey Peninsula Unified School District. As indicated on DEIR pages 7-30 and 7-31: "If a school is constructed on this parcel, it would be within 1,000 feet of Cell B and portions of Cells C and D of the capped landfill south of Imjin Road. The corner of the proposed park/school site is also located approximately one-quarter mile from the active Operable Unit 2 landfill gas treatment plant. This plant is self-contained, but an accidental release would affect the possible school site. Under California law, extensive environmental evaluation of the proposed school site would be required prior to any decision by the Monterey Peninsula Unified School District to accept the proposed site as suitable for a new school."

Comment W-3: We are concerned that special attention be given by the developer to maintaining access to streets, utilities and services for our clients at all times during construction of the Marina Heights project.

RESPONSE W-3: Statement of concern noted.

William Todd Samples
450 Reindollar Avenue
Marina, CA 93933

CITY OF MARINA
AUG 18 2003
PLANNING

LETTER X

August 18, 2003

Haywood Norton, Senior Planner
City of Marina
311 Hillcrest Ave.
Marina, CA 93933

Mr. Norton,

This is a letter in response to the Draft EIR on the Marina Heights Specific Plan and proposed amendments to the General Plan of 2000.

The Citizens Alternative offers higher density, smaller square footage homes that are affordable, more available land to build safer and smarter schools, more park space, more commercial activity and opportunity, and would support active transit. The Citizens Alternative is superior in all proposed land uses and is consistent with the Fort Ord Reuse Plans Optimal Land Use Strategies for Air Quality. The Citizens Alternative also significantly reduces the impact on our environment than the Specific Plan of massive grading.

X-1

As a Citizen of Marina, the amendments proposed by Marina Heights developers to the General Plan of 2000 will undoubtedly alienate the very people you wish to serve. Homes that are unaffordable, schools that are unsafe and isolated, streets that are not walk-able, and a sterile, fabricated environment are not what the Citizens of Marina desire or need.

X-2

The General Plan vision and direction is in place to protect the people of Marina and their best interest. It was not created to be developer friendly, if we do not control developers, they will control us. If you do not uphold the General Plan of 2000 you will essentially be "selling" our fair City out and setting a dangerous precedent for future development projects.

X-3

Please do not make this mistake. Our children depend on our civil servants and elected officials to maintain a high level of integrity for our community, not to falter and renege on promises made to the people when "money" is flashed our way.

X-4

Sincerely,



William T. Samples, Citizen of Marina

Letter X: William T. Samples, Citizen of Marina, 8/18/03.

Comment X-1: The Citizens Alternative offers higher density, smaller square footage homes that are affordable, more available land to build safer and smarter schools, more park space, more commercial activity and opportunity, and would support active transit. The Citizens Alternative is superior in all proposed land uses and is consistent with the Fort Ord Reuse Plan Optimal Land Use Strategies for Air Quality. The Citizens Alternative also significantly reduces the impact on our environment that the Specific Plan of massive grading.

RESPONSE X-1: Statement of support for the Citizen-Initiated Alternative is noted.

Comment X-2: As a Citizen of Marina, the amendment proposed by Marina Heights developers to the General Plan of 2000 will undoubtedly alienate the very people you wish to serve. Homes that are unaffordable, schools that are unsafe and isolated, streets that are not walkable, and a sterile, fabricated environment are not what the Citizens of Marina desire or need.

RESPONSE X-2: Opinions regarding the desires and needs of the citizens of Marina are noted.

Comment X-3: The General Plan vision and direction is in place to protect the people of Marina and their best interest. It was not created to be developer friendly, if we do not control developers they will control us. If you do not uphold the General Plan of 2000 you will essentially be "selling" our fair City out and setting a dangerous precedent for future development projects.

RESPONSE X-3: Opinions regarding the value of the General Plan, the intentions of developers, and consequences associated with amending the General Plan are noted.

Comment X-4: Please do not make this mistake. Our children depend on our civil servants and elected officials to maintain a high level of integrity for our community, not to falter and renege on promises made to the people when "money" is flashed our way.

RESPONSE X-4: Request, and statement related to the dependence of children on civil servants and elected officials, are noted.

MONTEREY COUNTY



DEPARTMENT OF HEALTH LEN FOSTER, Director

| | | |
|-------------------|----------------------------|------------------|
| ADMINISTRATION | EMERGENCY MEDICAL SERVICES | HEALTH PROMOTION |
| ANIMAL SERVICES | ENVIRONMENTAL HEALTH | PRIMARY CARE |
| BEHAVIORAL HEALTH | FAMILY & COMMUNITY HEALTH | PUBLIC GUARDIAN |

LETTER Y

August 18, 2003

Haywood Norton, Senior Planner
City of Marina
City Hall
211 Hillcrest Avenue, CA 93933

CITY OF MARINA

AUG 21 2003

PLANNING

Subject: SCH# 2003021012: MARINA HEIGHTS SPECIFIC PLAN/ABRAMS "B" HOUSING PROJECT, CITY OF MARINA

Dear Mr. Norton:

The Division of Environmental Health (DEH) has reviewed the environmental document mentioned above and offers the following project analysis and comments for consideration by the Lead Agency.

Introduction

The purpose of the review and comments is to assist the Lead Agency in developing an EIR that will be comprehensive and complete. The review and comments should identify potential impacts from the proposed project, determine whether any such impacts are significant, and establish whether significant impacts can be mitigated to a level of insignificance in compliance with CEQA statutes and guidelines.

DEH comments on the DEIR will be made from the following three perspectives: 1) the DEH as a responsible agency as defined in CEQA Guidelines 15096, 15381, & PRC 21069 for approving a proposed project, 2) the DEH as the LEA which is the primary agency charged with enforcing applicable laws and regulations such as California Code of Regulations, Title 14 and Title 27, and 3) as the DEH, respective to its authority and responsibility with protection of public health, safety, resources and the environment for Monterey County.

The comments from DEH as a Responsible Agency and as the LEA will generally question how potential short-term problems and issues would be addressed by the Lead Agency to ensure the protection of public health and safety from potentially detrimental effects associated with development in close proximity to a closed landfill. As the DEH, we will raise questions about broad health issues and long-term potential public health and safety impacts to be addressed by the Lead Agency.

Project Description

The Lead Agency is examining the Marina Heights Specific Plan. Under the proposed Specific Plan, 828 abandoned military housing units on a portion of the former Fort Ord historically referred to as Abrams Park and Upper Patton Park would be demolished, to be replaced with 1,050 new residential units. In the adjacent Abrams "B" housing area, 194 existing residential units (192 units currently used as residences, 23 currently used for support purposes) would remain in place. An addition 12 transitional housing units operated by Interim, Inc. located between the Specific Plan area and the Abrams "B" area would also remain in place. No demolition, development, or infrastructure improvements within the Abrams "B" area or in the Interim, Inc. area have been proposed under the Marina Heights Specific Plan. The Specific Plan indicates that a 28-acre site (a portion of the landfill for the former Fort Ord) located adjacent to the Specific Plan area would be improved for use as an 18-acre public park with the remaining 10 acres to be considered as a future school site (development of a school at this site is not proposed as part of the Specific Plan.) Implementation of the Specific Plan would result in the development of 5.85 acres of sub-neighborhood parks, creation of an 8.53-acre Oak Grove Preserve, development of a 12.92-acre greenbelt/linear park approximately 150 feet wide, and additional greenbelt linkages totaling approximately 8.33 acres.

Comments and Recommendations

Air Quality:

The DEIR describes remediation measures being taken at the former Fort Ord landfill including ongoing monitoring and installation of a gas extraction system. The landfill is officially closed and the final engineered cap is in place. The recent closure may affect ambient air sampling. Additional ambient air sampling will be completed the end of this year. The number of air samples will be statistically accurate to allow a complete and thorough risk assessment to be conducted. Specific Plan developers should be aware of the pending air sampling and may need to modify plans based upon the results.

Y-1

Land Use Development Around a Closed Landfill:

Public Resources Code Title 27 regulates land use development within a 1,000 feet for parcels containing closed landfills. Because the former Fort Ord landfill is contained in a different parcel than the one being evaluated for in the Specific Plan, Title 27 regulations do not apply. However, as landfill gas and other hazards associated with landfilling do not respect property boundaries, the DEH recommends that Specific Plan developers voluntarily include the mitigations described in Public Resources Code Title 27 21190. CIWMB - Postclosure Land Use. A copy of that Section is enclosed.

Y-2

Public Notice:

Risk communication and full disclosure of all information is critical in order to put any potential risk associated with the Fort Ord landfill in its proper perspective. Therefore, the DEH recommends that future users of property adjacent to the Fort Ord Landfill be fully informed on any potential risk and/or mitigation requirements on the use of the property associated with the Fort Ord Landfill.

Y-3

Water Quality:

Under Title 27, the State Water Resources Control Board (SWRCB) has the primary jurisdiction over the protection of water quality, and DEH has jurisdiction over private and community water systems and source groundwater.

Y-4

California Well Standards, Bulletin 74-90, states that all wells shall be located an adequate horizontal distance from known or potential sources of pollution and contamination. Bulletin 74-90, further states that the minimum horizontal separation distance between a well and the known or potential source of contamination shall be 100 feet. Therefore, all wells/exploration borings (known, discovered, permitted or unpermitted) shall be destroyed to the satisfaction of the DEH.

Also, the Lead Agency shall provide evidence of a long-term water supply that neither compromises existing water resources, nor exacerbates the rate of salt-water intrusion.

Y-5

Summary

The DEH thanks the Lead Agency for the opportunity to review and comment on the DEIR. The DEH requests a copy of responses to items discussed herein on the DEIR at least ten days prior to certifying the FEIR in accordance with PRC Section 21092.5 (a). If you have any questions regarding these comments, please contact me at (831) 755-4617.

Sincerely,



Karen Schkolnick, R.E.H.S.
Supervising Environmental Health Specialist

Enclosures: *Public Resources Code Title 27 21190. CIWMB - Postclosure Land Use. (T14:Section 17796)*

Cc: Brian Grattidge, State Clearinghouse
Jacques Graber, CIWMB
Frank DeMarco, RWQCB

21190. CDMB - Postclosure Land Use. (Title Section 1779)

(a) Proposed postclosure land uses shall be designed and maintained to:

- (1) protect public health and safety and prevent damage to structures, roads, utilities and gas monitoring and control systems;
- (2) prevent public contact with waste, landfill gas and leachate; and
- (3) prevent landfill gas explosions.

(b) The site design shall consider one or more proposed uses of the site toward which the operator will direct its efforts, or shall show development as open space, graded to harmonize with the setting and landscaped with native shrubbery or low maintenance ground cover.

(c) All proposed postclosure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites shall be submitted to the EA, RWQCB, local air district and local land use agency. The EA shall review and approve proposed postclosure land uses if the project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste.

(d) Construction on the site shall maintain the integrity of the final cover, drainage and erosion control systems, and gas monitoring and control systems. The owner or operator shall demonstrate to the satisfaction of the EA that the activities will not pose a threat to public health and safety and the environment. Any proposed modification or replacement of the low permeability layer of the final cover shall begin upon approval by the EA, and the RWQCB.

(e) Construction of structural improvements on top of landfilled areas during the postclosure period shall meet the following conditions:

- (1) automatic methane gas sensors, designed to trigger an audible alarm when methane concentrations are detected, shall be installed in all buildings;
- (2) enclosed basement construction is prohibited;
- (3) buildings shall be constructed to mitigate the effects of gas accumulation, which may include an active gas collection or passive vent systems;
- (4) buildings and utilities shall be constructed to mitigate the effects of differential settlement. All utility connections shall be designed with flexible connections and utility collars;
- (5) utilities shall not be installed in or below any low permeability layer of final cover;
- (6) pilings shall not be installed in or through any bottom liner unless approved by the RWQCB;
- (7) if pilings are installed in or through the low permeability layer of final cover, then the low permeability layer must be replaced or repaired; and
- (8) periodic methane gas monitoring shall be conducted inside all buildings and underground utilities in accordance with section 20933 of Article 6, of Subchapter 4 of this Chapter.

(f) The EA may require that an additional soil layer or building pad be placed on the final cover prior to construction to protect the integrity and function of the various layers of final cover.

(g) All on site construction within 1,000 feet of the boundary of any disposal area shall be designed and constructed in accordance with the following, or in accordance with an equivalent design which will prevent gas migration into the building, unless an exemption has been issued:

- (1) a geomembrane or equivalent system with low permeability to landfill gas shall be installed between the concrete floor slab of the building and subgrade;
- (2) a permeable layer of open graded material of clean aggregate with a minimum thickness of 12 inches shall be installed between the geomembrane and the subgrade or slab;
- (3) a geotextile filter shall be utilized to prevent the introduction of fines into the permeable layer;

Letter Z: Colette Marie McLaughlin, Ph.D., Monterey Peninsula Unified School District, 8/18/03.

Comment Z-1: The primary concern of the MPUSD is that the Draft EIR appears to provide inadequate analysis of the project's environmental impacts related to the proposed relocation of the elementary school site and reduction of acreage for the future high school. This analysis is necessary to ensure that there are adequate school facilities for Marina schools because school sites need to be in compliance with State policies and requirements for the MPUSD to gain access to State funds available for the construction of new schools.

RESPONSE Z-1: The DEIR evaluates the anticipated environmental effects that may be associated with implementation of the Specific Plan as proposed. Development of the Specific Plan area as proposed would place new residences at a site identified as a possible future elementary school site in the General Plan, and on a portion of a site identified as a possible future high school site in the General Plan. No school construction has been proposed as part of the Specific Plan, and the environmental effects associated with the construction of schools that may be built in the future in the vicinity of the Specific Plan area have not been evaluated in the DEIR for this reason. The DEIR (pages 2-7 and 2-8) indicates that the Specific Plan as proposed would require an amendment to the General Plan Land Use Map to eliminate the possible future elementary school site now shown, to show a new possible school site adjacent to the Specific Plan area, and to show a reduction in the acreage available for development of a future high school at the General Plan-designated site south of Reservation Road. No school construction has been proposed as part of the Specific Plan, and the environmental effects associated with the construction of schools that may be built in the future in the vicinity of the Specific Plan area have not been evaluated in the DEIR for this reason. As indicated on DEIR page 7-31: "Under California law, extensive environmental evaluation of the proposed school site would be required prior to any decision by the Monterey Peninsula Unified School District to accept the proposed site as suitable for a new school."

Comment Z-2: Geology/Soils Impacts that may impede meeting California Department of Education site requirements need to be adequately analyzed. Certain geology and soils impacts have not been adequately investigated to determine whether modifications from the General Plan proposed school sites impact the ability of the MPUSD to gain approvals necessary to build schools supportive of its Mission.

RESPONSE Z-2: As indicated in **RESPONSE Z-1**, above, no school construction has been proposed as part of the Specific Plan, and the environmental effects associated with the construction of schools that may be built in the future in the vicinity of the Specific Plan area have not been evaluated in the DEIR for this reason. It is agreed that issues related to geology and soils would need to be thoroughly evaluated before formal selection of any site where construction of a school is actually proposed. Such an evaluation would need to be conducted under the auspices of the MPUSD, which will ultimately determine whether proposed school sites would meet all State requirements and meet the District's needs or not prior to formal selection of a site as suitable for school development.

Comment Z-3: Relocating an elementary school site upon the former landfill. The Draft EIR did not adequately quantify the risks to the students and staff associated with potential hazards that may exist due to residue toxic substances at the closed landfill or risks associated with adjacent landfill clean up activities involving hazardous material. There needs to be adequate information to determine if this site is feasible for the construction of an elementary school or if, due to risks associated with landfill-related hazards, this location is not appropriate for an elementary school. There is no information related to potential delays in construction schedules or increased costs to the project or other related factions impacting the timely provision of needed school facilities.

Additionally, the Draft EIR does not provide adequate analysis of the apparent settlement at the site nor does it assess whether the site is subject to flooding or subject to seismic events and that may be further impacted by the composition of this fill. There is no discussion of construction impacts to the schools such as a need for unusual structural design needed to address soil impacts or potential delays in the project or increased costs.

RESPONSE Z-3: Although the Specific Plan identifies a possible school site adjacent to the Specific Plan area, the site proposed is not within the Specific Plan area, and the Specific Plan does not propose construction of any school facilities. For this reason, the environmental impacts associated with school construction at the site identified in the Specific Plan were not evaluated in the DEIR. Risks to possible future students and others in the vicinity of the former Fort Ord landfill is addressed generally in DEIR Chapter 7: **Hazards and Hazardous Materials**. As indicated above, when the decision is made by MPUSD to construct a new school in Marina, MPUSD will be responsible for conducting all required testing, risk assessment and environmental review prior to finalizing school site selection. The DEIR does not indicate that the school site proposed in the Specific Plan is feasible or infeasible, as an evaluation of environmental

potentially hazardous release site. The Draft EIR does not address f potential liability that may be incurred by agencies related to approval of a school site in this location.

RESPONSE Z-7: The DEIR evaluates the anticipated environmental effects associated with the development of the Specific Plan area as proposed. As indicated in the **RESPONSES** above, although the Specific Plan identifies a possible future school site adjacent to the Specific Plan area (and, if implemented as proposed, would result in residential development on a site identified in the Marina General Plan Land Use Map for use as a future elementary school site and on a portion of a site identified in the Marina General Plan Land Use Map to support a possible future high school), it does not propose construction of any school facilities. As part of its school site selection process, the MPUSD will be required to evaluate the possible environmental effects associated with the development of any school facilities once construction of those facilities has been proposed. Chapter 7 of the DEIR provides an evaluation of the hazards and hazardous materials issues on and in the vicinity of the Specific Plan area. The Mitigation Measures identified in Chapter 7 would be expected to reduce the potentially significant adverse environmental impacts identified in that chapter to a level of less than significant, for future residents of the Specific Plan area and for sensitive receptors in the vicinity. However, this does not mean that all potential impacts associated with hazards or hazardous materials would be totally eliminated or reduced to “No Impact”, which raises questions about future liability, particularly in relation to any future development of an elementary school at the site proposed in the Specific Plan. While the DEIR evaluation of hazards and hazardous materials issues may be useful in providing a general sense of the possible liability issues that could be involved with the development of an elementary school at the site proposed in the Specific Plan, it is beyond the scope of the DEIR to address the legal and economic questions related to the extent of any future liability (of either the City of Marina, MPUSD, or other parties) if a school were to actually be built at that site. Once MPUSD has proposed the construction of a new elementary school in Marina, these questions would need to be addressed as part of its site selection process.

Comment Z-8: Nor does the Draft EIR assess increased risks to students from potential hazards associated with an elementary school located adjacent to an arterial road.

RESPONSE Z-8: As indicated in the **RESPONSES** above, although the Specific Plan identifies a proposed school site and would result in residential development on a site that has been identified as a possible future school site in the Marina General Plan Land Use Map, the MPUSD has not proposed the development of a new school in the

Marina area. When such a proposal is put forward by the MPUSD, it will be responsible for evaluating the suitability of possible sites, and one of the considerations at that time would be the definition of the proposed school's service area. If the service area of a proposed new school at the site proposed by the Specific Plan were limited to the Marina Heights Specific Plan area, then any increased risk to students from potential hazards associated with the location of the school near a major arterial should not be significant. If the site proposed by the Specific Plan is selected by MPUSD as the site for a future school, such a school should be located on the property to minimize exposure to Imjin Parkway. Such a school should be located near Abrams Drive, and vehicular access to the school should be provided via Abrams Drive. It is recommended that if the site proposed by the Specific Plan is selected by MPUSD for development of a future school, then a berm should be provided along Imjin Parkway adjacent to the property to provide further separation between Imjin Parkway and the site.

Comment Z-9: Recreation The MPUSD Strategic Plan supports joint use of school for recreation uses. The location of the school adjacent to park space would facilitate such use. However the Draft EIR does not address impacts to school fields resulting from Marina resident's high demand for playing fields for organized sports, including soccer, softball, and baseball resulting from reducing the size of the park identified by the General Plan.

RESPONSE Z-9: Although the Marina General Plan Land Use Map shows the area identified in the Specific Plan as "Community Park/Elementary School" as Open Space (the site of a future park), the City of Marina has not yet put forward any formal proposal that would identify the type of recreational facilities that the City would place there if the parcel were not to be used as proposed in the Specific Plan. For this reason, it would be speculative to make assumptions regarding the type of playing fields the City might want to place at that site in the absence of Specific Plan development. However, implementation of the Specific Plan as proposed would reduce the area available for recreational uses on the parcel it identifies as "Community Park/Elementary School" by approximately 10 acres relative to the acreage shown for future park development on the General Plan Land Use Map. While it is not possible to quantify what this might mean in terms of playing fields or other recreational facilities that would not be built due to the reduction in the area of the parcel, the premise of this comment is correct in that there would be less room for such facilities at this location under the Specific Plan than would be available under the current General Plan. This would mean fewer recreational facilities available for use in Marina in the future, and would also mean that as local population grows, there would be



MONTEREY BAY

Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

August 14, 2003

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1944 Embarcadero
Oakland, CA 94606

Dear Mr. Courtney:

This letter is in response to your phone call of August 12, 2003 regarding District guidelines for the deconstruction and demolition activities of structures coated with lead-based paint on the former Fort Ord Military Base. The following guidelines are based on data collected during deconstruction/demolition of structures along the 12th Street Realignment Corridor. Adherence to these guidelines is necessary to ensure that control methods are in place to adequately protect the public health and to prevent a public nuisance. These guidelines do not replace or supercede the requirements of other agencies such as the Water Quality Control Board, Integrated Waste Management Board or Occupational Safety and Health Administration for demolition or disposal of demolition wastes from such projects. Nor do they alter the Air District requirements for asbestos demolition. In general buildings constructed after 1977 are not considered to contain lead based paint however, testing may be required on a case by case basis to determine the presence of lead based paint.

Based upon the information gathered, the dispersion modeling results, and a 40 hour work week for typical projects, the District has concluded that deconstruction/demolition activities can proceed in a manner which will not exceed a maximum 30-day lead offsite air concentration of 30 ug/M³, as recommended in CARB's Risk Management Guidelines for New, Modified, and Existing Sources of Lead, provided the guidelines below are followed:

Buildings that have not been Pre-coated:

Buildings shall be at least 85 meters (279 feet) from the property boundary or nearest on-site receptor.

Removal process shall consist of manual siding removal followed by manual or mechanical demolition of the remaining structure.

Only one building per day may be deconstructed/demolished/removed.

Wet suppression methods shall be used during deconstruction/demolition and removal activities.

Pre-coated Buildings

Multiple buildings may be removed simultaneously, regardless of the distance to the property boundary or nearest on-site receptor provided all buildings have been pre-coated with Metal Treatment Technologies EcoBond LBP™, or equivalent, prior to deconstruction/demolition and removal activities.

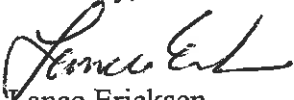
Wet suppression methods shall be used during deconstruction/demolition and removal activities.

Additional monitoring is required unless removal process consists of manual siding removal followed by manual or mechanical demolition of the remaining structure. Results of initial monitoring may place additional restrictions on subsequent demolitions.

The basis for these guidelines is included as Attachment A.

Should you have any questions or require additional information please feel free to contact Mary Giraudo or myself at the District office, (831) 647-9411.

Sincerely;



Lance Ericksen

Manager Engineering Division

CC: Ed Kendig, MBUAPCD

Janet Brennan, MBUAPCD

ATTACHMENT A

Each air monitoring event utilized 7-9 high volume air samplers and 37 millimeter mixed-cellulose ester filters. The air monitoring stations were placed around the buildings as close as 25 feet and as far as 110 feet, with a higher percentage of the monitors in the direction of the prevailing wind. All samples were analyzed by atomic absorption spectroscopy for lead.

Of the five buildings selected, four of them had been pre-coated with a specialty coating designed to: 1) provide an adhesive to keep the existing lead based paint intact during building removal and 2) reduce the leachability content of the lead. Air monitoring data was collected on two separate occasions for each building during the following activities: 1) manual siding removal process and 2) mechanical demolition process. Wet suppression methods were utilized during both manual and mechanical building removal activities. For each of these four pre-coated buildings, all of the air monitoring results were below the detection limit of $0.2 \mu\text{g}/\text{m}^3$. Please note, air samples were not collected during one of the building demolition phases since the activity was not anticipated to last longer than 30 minutes. According to the analytical company, 30 minutes would not have provided them with a large enough air volume sample necessary to get down to the required lead detection level of $0.2 \mu\text{g}/\text{m}^3$.

One of the 26 buildings along the 12th Street Realignment Corridor was not pre-coated, Building 2843. The Army's Construction Engineering Research Laboratory (CERL) group requested that this building not be painted so that they could conduct a wide range of R&D projects using the material in its existing state. Two separate air monitoring events were also conducted on Building 2843 for the following activities: 1) manual siding removal process with wet suppression methods and 2) mechanical demolition process with wet suppression methods. For the mechanical demolition portion of the building, all of the air monitoring results were below the detection limit of $0.2 \mu\text{g}/\text{m}^3$. However, during the siding removal process one of the nine air monitoring sites indicated an elevated 1-hour concentration of $10 \mu\text{g}/\text{m}^3$. The concentrations of the remaining eight air monitoring sites were all below the detection limit of $0.2 \mu\text{g}/\text{m}^3$. Although there is some uncertainty about this one elevated data point, it is the only non-painted building that was available to be air monitored. Accordingly this information was used in evaluating the public risk.

In evaluating public risk, the District utilized the California Air Resources Board (CARB) "Risk Management Guidelines For New, Modified, And Existing Sources Of Lead". These guidelines were developed for reasons associated with the unique nature of the potential health impacts associated with exposure to lead, and

the departure from the previous methodology used to estimate non-cancer health effects that is particular to lead. The particularity of lead is that chronic non-cancer effects are related to blood lead levels as opposed to ambient air concentrations. In summary, the guidelines recommend that neurodevelopment risk to children, in an effected exposure area be less than a 5% probability of blood lead levels (BLLs) exceeding 10 $\mu\text{g}/\text{dL}$. This is because the Centers for Disease Control And Prevention (CDC) has identified 10 $\mu\text{g}/\text{dL}$ as the blood lead level of concern and recommends the prevention of blood lead levels greater than 10 $\mu\text{g}/\text{dL}$ should be the goal of all primary prevention activities.

Since air districts deal with ambient air concentrations instead of blood lead levels, CARB, using conservative methods, converted the blood levels to air concentrations. As a result, CARB recommends in their guidance document that air districts approve facilities if the maximum offsite air concentration is less than or equal to 0.30 $\mu\text{g}/\text{m}^3$, based upon a 30-day average concentration.

Based upon an EPA ISCST2 dispersion model, the maximum 30-day concentration, for the removal of one non-coated building, would drop below CARB's recommended maximum concentration of 0.30 $\mu\text{g}/\text{m}^3$ within 85 meters (279 feet) of the deconstruction activity. This model run took into account that activities only occurred 10 hours of the day. However the modeling results are on the conservative side since the dispersion model was not able to reflect the fact that the activity only occurred 4 days out of the week. If a factor of 0.57 is applied to reflect the 4 day work week, the downwind concentration would drop below CARB's recommended maximum 30-day concentration of 0.30 $\mu\text{g}/\text{m}^3$ within 55 meters (181 feet) of the deconstruction activity.